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ARTICLE I.

**PHYSIOLOGY OF THE BRAIN: BY C. B. COVENTRY, M. D.* PROF.
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To an observing and enquiring mind few subjects can be presented of more interest than the structure and formation of the human system; none which more immediately concerns the temporal well being and happiness of man. It certainly seems an anomaly in our systems of education, that we spend years in visionary speculation, whilst a knowledge of our own organization, the noblest and most interesting of our Creator's works, is almost entirely neglected or abandoned to a particular profession. In beauty and symmetry, in the perfect adaptation of parts to the various functions which they were intended to perform; in evidences of design, and of infinite wisdom, the human frame is not surpassed by any created work. God, in his wisdom has established certain principles and laws for the guidance of man, and has endowed him with reason and capacity, to enable him to investigate and comprehend them. Thus a certain stick of timber, or a certain rod of iron, will sustain only a

* This article is the substance of a lecture delivered before the Young Men's Association, in the city of Utica; consequently is intended for popular, and not for professional readers.

given weight, if more is added it will break whatever may be the consequence. When applied to inanimate objects these are termed physical laws. The absolute necessity of obeying the physical laws of creation is self evident and universally admitted, but animated beings have likewise their laws which must be obeyed in order to the preservation of life and the perpetuation of the species.

In the animal creation are implanted certain feelings or propensities, which impel them to the performance of certain acts, or in other words, to obey the physiological laws, without the power of reasoning or choosing; this is called instinct. To man alone is given the higher power of reason, the power of choosing between good and evil, but this power of judging is not instinctive, the child does not know until taught, that fire will burn; it is true the sensation of hunger produces a desire for food, but the kind of food best adapted to appease hunger and nourish the system is a matter of knowledge and experience, and not of instinct. The violation of some of the physiological laws is immediately fatal to life. Thus if man for even a short time is prevented from breathing, he dies; if food is not taken he survives but a short time. A partial violation of some of the laws may exist without being immediately fatal. Thus though no one can survive for a length of time without breathing, yet he may breathe an atmosphere more or less impure and still survive. Though he cannot live without food, yet he may subsist on food which but imperfectly nourishes the system. In both these cases and in all violations of the physiological laws, though immediate death may not be the consequence, they are never violated with impunity. Impaired health, feebleness, and deficient tone and vigor of the system, are inevitable. If then it is true that the Almighty has established certain physiological laws, the obeying of which is essential to our life our health and happiness: if it is true that he has given us no instinctive knowledge of these laws, but on the contrary has given man powers of reason and investigation, so that by searching he can find them out; if then, things

be so, should we not expect as reasonable beings that the first great object of education would be, the examination and investigation of those laws.

Perfect health can only be preserved whilst every function is properly performed; and yet, man is surrounded by numberless agents which tend to destroy that play of affinity, and disturb that harmony so essential to health. Well may we exclaim, "strange that a harp of thousand strings should keep in tune so long," and stranger still that the possessor of so delicate, so interesting and so important an instrument should remain in voluntary ignorance of its structure and its use. It was not however my design at this time to urge the importance of a knowledge of human physiology, but briefly to examine the modes of investigating the function of a single organ, and then apply them to one of the many in the complicated machine.

In scientific investigation two modes of reasoning are used, one by comparison, the other by induction: by the first we arrive at presumptive evidence, by the latter at positive proof, at facts which cannot be controverted by any sophistry of argument or ingenuity of reasoning. For instance if we find an unknown animal having an organ very nearly or perfectly (to outward appearance) resembling the eyes of other animals (though the animal were dead) we would conclude, reasoning from analogy, that it was an organ of vision. However satisfied we might be that such was the fact, still the evidence would be only presumptive, and could never amount to absolute certainty. If the animal was living and we saw that the organ in question was used for vision, that when it was destroyed all power of seeing ceased, when it was injured or diseased vision was impaired, when it was restored to health vision was also restored; we would say unhesitatingly, we know it is an eye; this is reasoning by induction; we shall have occasion to resort to both in the course of our investigations.

We have already observed that in our physiological investigations we find at every step evidence of the most per-

fect wisdom and design. Whilst on one hand nothing is wanting for the performance of the destined function, on the other nothing is superfluous or made in vain. If therefore we find in the animal economy an organ, we infer that it might have been created for some useful purpose. Is it delicate and complicated in its structure, is it carefully guarded and protected from injury, and lastly, is it abundantly supplied with blood; we infer that its importance must bear some proportion to its delicacy, and the care with which it is protected.

If the function and use of almost every other organ was known, but there remained one whose use was not known, and an important function which it was known was not performed by any other organ; we would naturally infer that it was performed by the organ in question. Suppose that the function was never known to be performed in the absence of this organ, that destruction of the organ always destroyed the function; that derangement of the organ produced derangement of function, and whenever the organ was restored to a healthy state the function was likewise restored, and lastly, suppose the perfection of the function was found to be in a direct ratio to the perfection of the organ, we then say unhesitatingly such is its function and such the purpose for which it was designed.

A careful examination of the human system teaches us that one of the laws of the animal economy is, that every separate function is performed by the agency of separate material instruments. Are the impressions of light and colours to be conveyed to the mind, the eye, an optical instrument, is used for the purpose. Are the dulcet strains of music to enliven the spirits, they can only be transmitted through the medium of the ear. The perfumes of Arabia can only be appreciated by the agency of the appropriate organ, and the gourmand can only gratify his appetite through his mouth. Let it be observed that each of these organs perform but one function. Again, although the eye is exclusively an organ of vision, to perform this function to the greatest advantage,

it was necessary that it should have the power of motion, we find therefore that it is supplied with muscles to move it, and a nerve of motion; to protect it from injury, it was necessary that it should be furnished with ordinary sensation in addition to the power of vision, and we find accordingly a nerve of sensation. From the known uniformity of this law viz. that each function was performed by a separate organ, it was long supposed that the nerves going to the extremities, enclosed in the same sheath, and apparently identical in structure, must be different; from the fact that different functions viz. sensation and motion, were apparently performed by the same nerve. This is now demonstrated and they are proved to be as distinct in their origin as in their functions. When therefore we find distinct functions performed, some of which may be present, others absent, some of which may be diseased and others remain healthy, some destroyed and others remain perfect, we say they are and must be performed by different organs, though the scalpel of the anatomist may not be able to demonstrate the line of demarcation.

It is a law of nature, not confined to man or animals, but universal in its application that. "*ceteris paribus*," strength or power is proportioned to size. This law is so universal and so instinctively admitted, that, in common language, we sometimes substitute the word powerful for large, as we say a powerful horse. If we see a man with large muscles we believe him to be a strong or powerful man, unless we know of some circumstance making the case an exception to the general rule. Let it be observed that we are only speaking of certain laws which an all-wise Creator has established for the government of material instruments in the performance of those functions, for which they were designed. The great first cause, the moving spirit of the whole is beyond the scope of physiological investigation, and is only revealed to man through the works and the written word of God, which must ever be in harmony with each other.

Let us now apply these principles to the human brain.

What is usually termed brain is in fact only a part of the great nervous system, an expansion as it were of the upper extremity of the spinal cord. On its external surface the brain appears to be covered with numerous convolutions, the size and number of which is proportioned to the size of the brain. By a slow and gradual distention from within, the brain is expanded, the convolutions effaced, and the brain has the appearance of a fibrous membrane not exceeding half an inch in thickness. This can only happen where water has very slowly accumulated in the interior of the brain. The brain is the most delicate of all the organs, differing at different ages and under different circumstances from a fluid state to one of considerable firmness.

From the extreme delicacy of the brain it would be particularly exposed to aggressive injuries from without, and hence a necessity of its being carefully guarded. We find therefore that it is completely enclosed in a case of bone, and this so shaped and constructed as in the most effectual manner possible to resist external injuries, and at the same time to admit of the gradual increase and growth of the brain within. This box of bone is formed of separate parts or pieces so nicely adjusted and united as scarcely to have the appearance of union, each piece is made of two layers termed the external and internal tables, the whole secured by a very firm strong fibrous membrane lining the whole interior, another the pericranium covering the external surface, and above this, the cellular substance, in some parts muscular fibres, the skin, and lastly the hair. In addition to this protection the brain is immediately covered by two very thin and delicate membranes, the Pia-mater and Tunica arachnoides. Lastly the brain is abundantly supplied with blood, it being estimated that about one eighth of the whole circulation goes to the brain.

We would now ask of what use is the human brain? What are the functions which it was intended to perform in the animal economy?

This organ so voluminous, so delicate in its structure, pro-

tected with so much care, and so abundantly supplied with nutriment, was surely intended for the performance of some important function. We will answer in the language of a writer in the *Edinburgh Review*, "On resorting to observation we find that in precise proportion as we ascend in the scale, and the animal acquires a sense, a power or an instinct, do its nerves multiply and its *brain* improve in structure, and augment in volume, each addition being marked by some addition or amplification of the powers of the animal, until in man we behold it possessing some parts of which animals are destitute, and wanting none which they possess, so that we are able to associate every faculty which gives superiority, with some addition to its nervous mass even from the smallest indications of sensation and will, up to the highest degree of sensibility, judgment, and expression." Compress the brain, and every mental manifestation instantly ceases, remove the pressure, and it returns. This is illustrated in apoplexy and in many cases where from disease or destruction of a portion of the skull the brain has been exposed. In such cases it was found that by pressure upon the brain, conversation was arrested in the midst of a sentence, and when the pressure was removed it was resumed at the same point. In a case related by Sir Astly Cooper, consciousness which had been suspended for several months was restored by removing a portion of the skull which pressed upon the brain. In other cases where the spinal cord has been injured and the whole body become paralytic, the intellectual faculties remain perfect. In order that an organ should perform its proper function, it is necessary that it should be supplied with a due amount of blood. Stop the flow of blood to the head and what is the result? All have witnessed the effect in cases of fainting; restore the circulation and consciousness returns.

In inflammation of the brain the intellectual and moral manifestations are deranged; restore the brain to a healthy condition and the patient becomes rational.

Careful and recent investigation has demonstrated that in

almost if not every case of death from insanity, the brain presents evident traces of disease. If then intellectual and moral manifestations are never found without a brain, if they are destroyed by destruction of the brain, or when its function is destroyed by pressure, and restored when this pressure is removed, and lastly if the perfection of their manifestations in the different races of animals is proportioned to the size and perfection of this organ, is it not an evident proposition that the brain is the material instrument by which all intellectual and moral powers are made manifest.

Does the brain perform its functions as a unit, or are separate functions performed by separate and distinct parts? If it is true that the brain performs its function as a unit, then it invalidates the great law of nature that separate functions are performed by separate organs. It would also follow as a necessary corollary that all the mental and moral faculties must be developed at the same time and in the same proportion, that men could differ only in the degree and not in the character of their mental manifestations, and that one faculty of the mind could not be cultivated without the cultivation of all the others. Is this in accordance with fact and with nature? If the brain in the performance of its functions acted as a single organ, then were one function destroyed, the whole must be; such a thing as monomania would be impossible, for an organ cannot be diseased and sound at the same time. Pathology is abundant in its proofs of a plurality of cerebral organs. Thus we have partial idiocy, and injuries of the brain which affect only some of the mental faculties, leaving others uninjured, all at variance with the idea of the brain being a single organ. The phenomena of dreams are totally inexplicable upon any other theory than that of a plurality of organs. Indeed when we reflect upon the great diversity of character, of feeling, and of intellect, presented by different individuals, the multiplied instances of monomania or insanity upon a single subject, and the phenomena of dreams; it seems surprising that it should ever have been imagined that all these varied functions were performed by

one and the same organ. Is the brain an exception to the universal law of nature that, "*ceteris paribus*," power is in proportion to size? * this has been admitted by philosophers of all ages, and never, so far as we can learn, was there an attempt to controvert it until recently. Erastratus, Pliny, and Galen, among the ancients, together with many more modern writers, believed that superiority of intellect depended upon the absolute size of the brain. It was however discovered, that the whale and elephant had larger brains than man, that the dog and monkey have smaller brains than the horse and ox, though superior in intellect; here we find the principle of size admitted, but it errs from considering the brain as one, and not as a congeries of organs. Other physiologists adopted a different principle; they proposed to measure the intellect, by comparing the proportion which the brain bears to the whole body, and here, general, but not individual results, are in accordance with the proportion, for though the brain of the elephant is actually larger than that of man, it is in proportion to the body, much smaller. Unfortunately for this theory, Blumenbach, Cuvier, and others soon discovered that the canary bird, and some species of monkeys, had brains much larger in proportion to their bodies, than man.

Soemering and others, supposed they had found another rule, still in accordance with size, and this was, by comparing the absolute size of the brain, with the volume of the nerves. The celebrated facial angle of Prof. Camper, was formed by drawing a line, from the opening of the ear, to the teeth of the upper jaw, and from the same point, to the upper part of the forehead. Dr. C. supposed, that the more nearly this angle approached a right angle, or in other words,

* A great error prevails in the minds of many, and has been encouraged by those opposed to this physiology of the brain, in supposing its advocates would apply it in comparing one head with another. This would be a violation of the very principle of *ceteris paribus*, for no two brains are situated exactly alike as to nourishment, discipline, exercise, &c. It therefore only applies in comparing one part with another of the same brain.

the greater the projection of the forehead, the greater the degree of intelligence, and vice versa.

The rule of Camper, though generally correct, was open to many objections. The projection, or non projection of the jaw, modified the angle, and it made no provision for measuring, either the height or breadth of the forehead, or for taking into consideration, other parts of the brain; or for the difference in the activity and energy of different brains. It will be observed, that in all these cases, the brain was not only admitted to be the organ of the intellectual faculties, but that size, was always considered as the criterion of power. Let us substitute the view presented, that the brain is in fact an assemblage of many organs, any one of which, may be proportionally larger or smaller, and all difficulty vanishes.

Cuvier, who was probably the greatest comparative anatomist that ever lived, says: "comparative anatomy offers another confirmation of the constant proportion of the development of the lobes, with the degree of intelligence of the animal. Some of the lower orders of animals have indeed, individual parts of the brain more highly developed than man, and they have individual senses, and individual instincts, more powerful to correspond to these parts, but no animal has a brain consisting of so many parts and so fully and perfectly developed, and it is well known that he towers far above the animal creation, in the powers of intellect, sentiment, and feeling."

It is admitted by all physiologists, that the brain is the seat, not only of general sensation, but of the special senses, of sight, hearing, smell, and taste. Separate the eye from its connection with the brain, and all power of seeing ceases, and so of the other organs of sense. It can scarcely be doubted, that these powers of seeing, hearing, feeling, of moving &c., are connected with particular parts of the brain. Consequently, those portions of the brain may be large, whilst the intellect may be deficient. We have then endeavored to establish the following propositions:

1. That the mind in this life, is only manifested, through the agency of a material instrument, and that instrument, the brain.

2. That the brain is not a single organ, but an assemblage of as many distinct organs, as there are separate and distinct moral and intellectual faculties.

3. That the power of manifesting each faculty, has a constant and uniform relation, all other things being equal, to the size of the organ, or part of the brain with which it is connected.

We need scarcely add, that the brain, being a part of the general system, must necessarily be subject to the same physiological laws, which govern other parts.

1. That in order to the healthy and perfect performance of its functions, it must be supplied with a due amount of healthy blood, if digestion is imperfectly performed, and the blood thereby rendered defective or impure, the functions of the brain will be defective, or imperfect.

2. That alternate exercise and rest are absolutely necessary to preserve it in a sound state, and that any one, or all the organs of the brain may be enervated from want of use, or exhausted from over exertion.

Let us briefly examine some of the objections which have been made to this view of the physiology of the brain. It has been charged with leading to materialism. If by materialism, is meant that the mind in this life is only manifested through the agency of material instruments, and that the perfection of its manifestation is in precise proportion to the perfection of the instrument, then we say, it is a materialism which has been taught by philosophers of all ages, a materialism in perfect accordance with revealed religion, as well as with the common observation of mankind. If by materialism is meant that the brain performs its functions independent of any superior or presiding influence, we reply that this view, does not countenance any such doctrine. Can it be pretended that the mind can in this life manifest itself independent of the body? If it is mani-

fed through the body, why not through the brain as part of the body, and why not separate faculties through separate parts of the brain. We suppose that the mind thinks through the medium of the brain, as it sees by means of the eye, or hears by means of the ear: of itself, the eye possesses no power of vision, separate its connection with the brain by means of the optic nerve, and all power of vision is destroyed. If, however, we wish to improve the power of vision, we cultivate the eye. As changes in, or disease of the eye destroys vision, but not the principle of vision, so disease of the brain destroys or deranges the power of thought and feeling, but not the mind itself. If we refuse to admit of this explanation of the influence of organization, and contend that the varied mental manifestations are owing to the immaterial spirit without any bodily cause! then we must believe that the mind is excited by wine, is put to sleep by a few grains of opium, and destroyed by a blow upon the head, that the mind is feeble in infancy, vigorous in manhood, and imbecile in old age, that the mind is delirious in inflammation of the brain! but where shall we stop? if the mind may be feeble or strong, deranged or diseased, subject to all the changes and accidents of the body, then certainly, no argument could be drawn from analogy in favor of its immortality. What says the physiologist? That these are no more evidences of derangement of the immaterial mind, than obscurity of vision is of derangement of the light, and he proves it in the same manner; in the one case, he points to the instrument of vision, he shows the disease, he removes the disease, and vision returns. In the other, he points to the instrument of thought and feeling, he exhibits the disease, he removes the disease, and thought and feeling return; the evidence is the same in both cases, and if any reliance can be placed upon the evidence of our senses in both is conclusive. But it is said, that if a man's intellectual and moral capacity depends upon his organization, he is not a free agent. If it is true that men are created with different capacities and propensities, how does it affect his responsi-

bility, whether or not this difference is connected with a difference in the form of the size, shape, and structure of the brain. We find, however, to man and to man alone is given the power of knowing good from evil, a power of judging and acting contrary to his feeling and his animal propensities, it is this power which elevates him far above the animal creation. Destroy this power and you degrade him to the condition of an idiot, a condition in which he is not either by human or Divine law considered responsible for his conduct: no government punishes crime in an individual so deficient in intellect as not to be able to distinguish right from wrong. An objection has been made to the doctrine that strength or power, other things being equal, was in proportion to size, and an appeal has been made to the external senses to prove its fallacy. The appeal was an unfortunate one. It would not be difficult to prove that a convex line of two inches in diameter would receive and transmit more rays of light than one of an inch, but nature has illustrated this principle by a most beautiful apparatus, adapted expressly to regulate the number of rays entering the eye. The eye is composed of several parts; when the extent of vision is increased, it is effected by increasing the size of the cornea or convex portion of the anterior part of the ball of the eye; when intensity is required, by increasing the size of the optic nerve; thus the optic nerve of the eagle exceeds that of man. When hearing becomes defective, how do we endeavor to remedy the difficulty? by increasing the size of the outer ear by means of a trumpet, so as to concentrate a greater number of aerial vibrations.

Vague and indistinct notions were long entertained as to the instrumentality of the brain in mental operation, this is well illustrated by the following quotation from Burton's *Anatomy of Melancholy*, it is from the original writings of Marrilius Ficinus. "Other men look to their tools: a painter will wash his pencils, a smith will look well to his anvil, hammers and forge, an husbandman will mend his plough iron, and grind his hatchet if it be dull, a falconer or

hunter will have an especial care of his hawks, hounds, horses, and dogs, a musician will string and unstring his lute. Only scholars neglect that instrument (their brain and spirit I mean,) which they daily use, and by which they range over all the world, and which by much study is consumed. This (he says,) dries the brain, extinguishes natural heat, and whilst the spirits are intent on meditation above, in the head, the stomach and liver, are left destitute, and thence comes black blood, crudities and melancholy, so that sedentary and diligent men are most part lean, dry, ill-colored, spend their fortunes, lose their wits, and often their lives also, and all through immoderate pains and extraordinary studies."

We may smile at his physiology, but so far as he represents the effects of intense application of the mind and sedentary habits, he is undoubtedly correct, and shows the close observer of nature. The following taken from a recent number of the *London Quarterly Review*, exhibits the modern view of the same subject; speaking of the education of Lord Dudley, the writer observes: "The irritable susceptibility of the brain was stimulated at the expense of bodily power and health. His foolish teachers took a pride in his precocious progress which they ought to have kept back. They watered the forced plant with the blood of life. They encouraged the violation of nature's laws, which are not to be broken in vain. They infringed the condition of conjoint moral and physical existence. They imprisoned him in a vicious circle where the overworked brain injured the stomach, which reacted to the injury of the brain. They watched the slightest deviation from the rules of logic, and neglected those of dietetics to which the former are a farce. They taught him no exercises but those of Latin—they gave him a *Gradus* instead of a cricket bat, and his mind became too keen for its mortal coil, and the foundation was laid for ill health, derangement of stomach, moral pusillanimity, irresolution, lowness of spirits, and all the protean miseries of nervous disorders by which his after life was haunted."

The picture drawn of Lord Dudley's education has its counterpart in every day's experience. The folly of his teacher is that of the present system of education. The overwrought and over stimulated intellect, is literally nourished with the blood of life. The brain is inordinately excited at the expense of every other part of the system, and life or permanent ill health is too often the penalty paid for this violation of nature's laws.

ARTICLE 11.

EXTRACTS FROM THE EULOGY UPON PINEL, READ BEFORE THE
ROYAL ACADEMY OF MEDICINE, AT PARIS, AUG. 28, 1828,
by M. PARISSET, PERPETUAL SECRETARY.

Translated from the French, by M. M. BAGG, M. D.

Philip Pinel was born the 11th of April, 1745, at St. Paul, a village not far from the city of Castres, and at present comprised within the Department of Tarn. His father practised medicine and surgery. His mother was a model of piety. They had a numerous family, and a very moderate fortune. They at first sent their son to the College of Lavaur. It was there that Pinel pursued his earlier studies, and as he was destined for the church, he repaired to the schools of Toulouse. He here followed a course of philosophy under a professor who rendered him expert in mathematics. He wished to apply himself to Theology, but his destiny called him elsewhere. In accordance with the advice of his father, he quitted the University, and freed himself from all dependance by giving lessons upon Calculus and Philosophy; became a candidate for the floral games, and carried off the prize; took at his own expense, all his degrees in medicine; was during several years chosen as his adjunct by one of the professors, and finally

after having satisfactorily undergone the necessary proofs, he was upon the 22d of Dec. 1773, honored with the title of Doctor.

Pinel was then in his twenty-ninth year, and his situation was by no means a brilliant one. He had lost his father, and could expect nothing from his family. The inconsiderable gains of teaching hardly rendered the present tolerable, and made him dread the future. The hope of better fortune, and more especially the desire of increasing his knowledge induced him to undertake a journey to Montpellier. He went there in 1775. The school of that celebrated city was then in all its glory. The talents of Vigaroux of Chaptal and of Fouquet, cast upon Montpellier a brilliancy which was reflected over Europe, and eclipsed all the schools of the civilized world. Pinel had scarcely taken refuge in this new Cos, when he found there an Asylum and friends. He was received into the house of M. Benezech, where he had for his pupil, a young man, who has since become one of the most skillful officers of the Engineers. The leisure left him from the cares of instruction, Pinel employed in improving his medical knowledge, in following courses of chemistry, and natural history, in fortifying himself in the Greek and English languages, and in composing theses for young students. These compositions, written with elegance and finish, passed for master-pieces of latinity.

Allured by the beautiful work of Borelli upon the movements of animals, he made a profound study of it, in order to apply its principles more directly to the movements executed by man. The result of his labor, comprised two parts: the one was communicated to the Royal Society of Montpellier, the other, not finished until after the lapse of some years, was reserved for the Academy of Sciences at Paris.

In spite of his natural modesty amounting even to timidity, and though he had reason to be pleased with Montpellier, a secret consciousness of his strength warned Pinel that he was worthy to figure upon a greater theatre. He

had his eyes turned toward the capital, and in the year 1778 he repaired thither. He had happily the same resource as Boerhaave, geometry. He accepted as pupils two aspirants for the artillery and the engineers. The price he received from them sufficed for his necessities, and time was left him for labors of a different kind. In proportion as his relations extended, he saw multiply opportunities of profiting by all his intellectual riches. He wrote for the *Journal de Paris* various articles upon medicine, natural science, moral philosophy, and economy. The *Gazette de Sante* was entrusted to him, and during several years the work prospered in his hands. An abridgment of all the transactions given to the world by the learned bodies of Europe had been published in England. A translation appeared in France, between the years 1789, and 1791. Of the fourteen volumes of which it is composed, the laborious Pinel translated three, and assisted in the preparation of a fourth.

Thus divided among so many different pursuits, satisfied with the present, full of security, we might, perhaps, say of carelessness for the future, he did not think of securing himself a practice; and though he followed the hospitals, he refused opportunities of seeing and treating the sick. He had, however, in 1785, the unhappiness to lose a young man whom he cherished, and whom persevering study and an excessive temperance had deprived of reason. This unfortunate youth, after his return to his family, had become furious. One evening he escaped from his father's house, and plunged into the neighboring forests, where he was destroyed by wolves. The following day, naught was found of him, but some torn fragments, and near them a copy of *Phedra*, covered with blood. Pinel was singularly struck with so cruel a catastrophe. It is probable that it was this event which first turned his thoughts toward the study of a class of diseases so peculiar, so frightful, and till then so imperfectly known. Indeed, about this time, a house was established for the treatment of the insane. The first patient received into it,

was placed there by Pinel, and it is there, as it would seem, that he made the first trial of those innovations which will render his name for ever dear to posterity. To constraint, to the tortures almost universally employed against the pitiful raving which characterizes extreme madness, he substituted procedures in which justice was tempered with kindness. He left to the peaceable all the freedom of their natural liberty; he used force only to quell dangerous violence, but he used it with so much moderation, that the reason of the patient, instead of becoming offended, yielded to it as of its own accord. For happily, in the midst of the wildest tumults of the soul, the sentiment of equity never dies. It is a good spirit which the physician ought always to cherish in the heart of the patient, and which, sooner or later, will open the place to him.

Six years of success had consecrated this practice, more medical even than it is humane, when in 1792, the Royal Society of Medicine proposed a prize upon the following question, "To point out the most effectual means of treating patients whose mind has become disordered, prior to the period of old age." Pinel entered the list. His production bore this motto, borrowed from Celsus,—"*Gerere se pro cujusque natura necessarium*," a profound maxim, and applicable to all diseases, but especially to insanity. Whether his labor was rewarded with the prize, the Memoirs of the Academy, interrupted as they were, by political events, do not inform us. Pinel soon, however, received a prize more worthy of him, one which redounded to the glory of science, and the good of mankind. Thouret was a member of the Royal Society. He made one of the committee which had examined the memoir of Pinel, and he conceived a high esteem for the talents and the character of the Author. The progress of affairs brought Cousin, Thouret and Cabanis to the head of the Hospitals. In spite of the reforms attempted under the most humane of all kings, the Hospitals of the Capital were still in a deplorable state of barbarity. The one which presented the most revolting aspect, was the

institution of Bicetre. Vice, crime, misfortune, infirmity, diseases the most disgusting, and the most unlike, were there confounded under one common service. The buildings were uninhabitable. Men covered with filth, cowered in cells of stone, narrow, cold, damp, without air or light, and furnished solely with a straw bed, that was rarely renewed, and which soon became infectious; frightful dens where we should scruple to lodge the vilest animals. The insane thrown into these receptacles, were at the mercy of their attendants, and these attendants were convicts from prison. The unhappy patients were loaded with chains, and bound like galley slaves. Thus delivered, defenceless, to the wickedness of their guardians, they served as the butts for insulting raillery, or as the subjects of a brutality so much the more blind as it was the more gratuitous. The injustice of such cruel treatment transported them with indignation; whilst despair and rage, finishing the work with their troubled reason, tore from them by day and night cries and howlings, that rendered yet more frightful the clanking of their irons. Some among them more patient or more crafty than the rest, showed themselves insensible to so many outrages; but they concealed their resentment, only to gratify it the more fully. They watched narrowly the movements of their tormentors, and surprising them in an embarrassing attitude, they dealt them blows with their chains upon the head or the stomach, and felled them dead at their feet. Thus was there ferocity on the one hand, murder on the other. This atrocious course once commenced, how could it be arrested? and what could be expected for the amelioration of mental disease from such abominable reciprocities?

The three administrators groaned over this compound of disgrace and misfortune. All three were friends of Pinel, and all concurred in the opinion that he was the only man in Paris, and even in France, who could remedy so many evils. They appointed him Physician of the Hospital of Bicetre. He entered upon his duties the latter part of May 1792, and with him entered pity, respect, discretion, justice;

modes of treatment, or rather virtues, whose soft control he had recognized even over madmen, the most ungovernable. The face of things changed entirely, though by insensible transitions, for great changes, even though for the better, should not be dangerous. There was at Bicetre, a man whose instinct had in some sort made him the precursor of Pinel; a man of little cultivation, but of sound sense, of acute perceptions, and with a heart that was tender and sympathizing, spite his natural severity; Pussin, who braving all apprehension and clamor, had dared to remove their irons from some of the patients. This first experiment had been happy; the rest was accomplished under the enlightened direction of Pinel. The inmates, no longer disfigured by traits of exasperation, anger, fear or terror which bad treatment had impressed upon them, regained their natural physiognomy, and from that time, allowed this wise physician to observe them with order, and to sketch faithful likenesses. After two years stay, which were years of kindness to Bicetre, Pinel was called to carry into a second hospital the happy revolution he had brought about in the first. I refer to Salpetriere, where reigned the same abuses. There were received here only such as had undergone treatment at Hotel Dieu; the common and imperfect treatment which rendered the state of the patients more difficult and dangerous. To restrain their fury, they were crushed under the same rigors, or rather they were irritated by the same sorts of violence. Sometimes enchained naked, in the almost subterranean cells, worse than dungeons, they had their feet gnawed by rats, or frozen by the winter's cold. Thus injured on all sides, their embittered hearts breathed only vengeance, and intoxicated with hatred, like the bacchantes, they burned to tear in pieces their attendants, or to destroy themselves before them. Who will recount the thousand obstacles which sprang up before Pinel? Though he had experience on his side, the practice he wished to destroy, gained credit so as to perpetuate the mischief itself had created; for it is thus, says Montesquieu, that cruelty reasons.

However, the administration at length comprehended that the treatment of the insane requires more than any other, a great unity of design, as much as it does a variety in the means. It was taken from Hotel Dieu, to be entrusted to the hands of Pinel, and thenceforth, seconded by the auxiliary of his choice, the faithful Pussin, dispelling as empty shadows, the opposition of habit, and the lies of interest. Pinel succeeded in substituting order for confusion, rule for caprice, and the holy duties of humanity for the shameful excesses of barbarism. That spirit of reform has been maintained to the present moment; happy legacy preserved by Esquirol, and followed out by an administration, which has extended it to the minutest of details. To this we owe it, that Salpêtrière has now taken a place in the first rank among the Asylums consecrated to misfortune.

But it is science which has especially profited thereby. The diseases better classed, were there as at Bicêtre, better observed, better understood, better described.

After having furnished to learned Societies several sketches, Pinel published in 1801, the result of his laborious studies, and this first work, rearranged and improved by the author, again appeared in 1809, under the following title, "*Traite medico-philosophique sur l'alienation mentale.*" This work succeeding to another of a more elevated character, (his *Nosographie philosophique*,) effectually stamped the celebrity of Pinel. In truth, this memoir upon alienation, bears most evidently the impress of originality. He here penetrates more profoundly than his predecessors had done into the intimate nature of acute mania. He teaches us to consider it as an act of the living principle, which must change the organization; an act which art may retard, disturb or pervert by a rash medication, but whose energy we should be contented to moderate, in order that mania may take its natural development, and progress freely to its close. Accidents from remedies or spontaneous obstacles, too often precipitate it towards unhappy issues, which, having disconcerted the primitive plan, now cause its reappearance under

the same form, now change its nature, and perpetuate it under a character new and forever unalterable. The different forms that insanity assumes, Pinel refers to four principal ones, Mania, Melancholy, Dementia, and Idiocy. This distribution is vast ; it comprehends, doubtless, the great majority of cases ; but it is not sufficient, and whatever clearness it may bring into the study of a disease so varied, we now recognize that such an outline could not embrace all the simple alterations, much more the compound ones that are assumed with a facility so painful by our moral and intellectual natures ; that is to say by our sentiments, our ideas, our wills, and what are inseparable from these, by our movements or our external actions. For such is the foundation upon which our soul operates, and which eludes it or resists it in insanity. Further, Pinel did not carry the analysis far enough ; since he has comprised under the same title mania without delirium, which is a simple state, and mania with delirium which is a compound one. There are in fact, simple manias, or what is the same thing, there are alienations of sentiment, there are states of sadness, of despair, of fury, of rage, spontaneous, instinctive, irreflective, and detached from all purpose of the mind, which prompt the man to injure himself, or urge him blindly to the commission of murder. There are others which not only do not interest the ideas, but are yet perceived, judged and reproved by them, combatted by all the powers of the understanding ; hence comes the phenomenon of double will so well characterized by St. Paul, and so badly explained by the philosophers. On the other hand, there are disorders of the intellect marked solely by a want of coherence between either the ideas or the propositions. In other words, there are dementias, there are true deliriums, which not being united with a state of fury, at least in action, constitute for that reason, a simple alteration of intelligence, a simple delirium.

Hence, we see, that these two kinds of lesion are of themselves, independent one of the other ; and that when

they come to coexist in an individual, the resulting alienation is no longer simple, but compound; and that here, mania with delirium, is a combination of fury and dementia. It is the same with those estrangements of the affections, with those sudden antipathies, those unnatural aversions, which in the heart of a woman, occasionally take the place of her habitual tenderness: frightful impulses, which sometimes are stifled by reason, sometimes overthrow reason itself, subjugate the understanding of a mother, and arm her with the knife against her own children. Is it not evident that here the sentiment alone is marred, and the understanding is subdued rather than altered? What becomes here of the moral liberty? and how important it is, that in deciding upon actions of this nature, the law should know how to distinguish what it ought to pity, from what it ought to punish!

To return, let me add, that in treating of melancholy, Pinel has not always mounted, as he might have done, to the causes of the false judgments which characterize it; false judgments so often suggested to the mind, either by false perceptions of the senses, or by the feeling of an internal constraint which has all the illusion of hallucinations. These are a class of deceptive, though real impressions, whose principle sometimes so difficult to seize, is not the less in certain cases, the original principle of all the troubles of the understanding.

Finally, and it is a very trifling fault, Pinel recommends physicians to prepare themselves for the treatment of insanity, by the study of the faculties of the human mind. For this purpose he sends them back to the writings of the philosophers, ancient and modern, who have occupied themselves with so sublime a subject; thus rendering medicine subservient to metaphysics; whilst on the contrary, in order to sound the depths of mind it becomes the metaphysicians to make themselves the students of medicine. Instructed in a school so fruitful and so necessary, neither Locke himself, though a colleague of Sydenham, nor Condillac, nor

their imitators would have fallen into the strange paradoxes, which disfigure works, otherwise so honorable to their countries and to themselves.

Our understanding, I will dare to say it, our understanding belongs exclusively to the patrimony of medicine. Hippocrates first embraced all its wonders in two maxims, that his successors would have done well to lay up as their most precious heritage. But this heritage they have overlooked; they have so disdained its culture, that this beautiful and important part of their science is still plunged in obscurity. Nothing is there seen clearly, nothing set in order, nothing judged in its relations with the whole. Hence it is, that except a stock of knowledge which has no real support but in this fundamental and primary knowledge, that of the diseases of the mind is still so imperfect, and that among the terms which describe it, there still prevails with different writers so little agreement and uniformity.

Pinel's work will always be of infinite value for its facts, the method and the views that it exposes, for the lessons of morality that may be drawn from it by parents and teachers, charged especially with the cultivation of the reason of the young people under their care. For reason itself is a source of the higher and the social sentiments, of regular and temperate habits, and the noblest part of us, our soul, has no surer guarantee against its own estrangement.

Let us add that truth which Pinel so firmly established by his experience, to wit: that for the insane, goodness is the most effective of remedies, and justice the most impressive of authorities. And this double virtue, he would not have limited solely to the daily and distinct relations with the patients, he wished beside, that in all which surrounds them, touches or interests them, they should feel its presence and hear its language. Thus of every thing which can enter into an establishment formed for them, there is nothing that the attentive humanity of Pinel has not indicated in this work, nothing which he does not teach us to foresee, and to regulate in advance. His book will be the manual

both of physicians and administrators. May his touching solicitude survive him! May the kindness of which he has given us the example, extend and be perpetuated by his counsels!

[Neither the limits of this article, nor the object of its publication, will allow us to follow the eulogist in his investigation of the merits of the great work of Pinel, his *Nosographie*; to rehearse the eloquent parallel upon their respective skill as teachers, drawn between him and Corvisart; nor to recount the various anecdotes elucidating his private character. All this belongs to the domain of general medicine.]

Pinel was a member of the Legion of Honor, a member of the French Institute, head physician of the hospital of Salpetriere, professor of the first medical school in Paris, and subsequently of its Faculty of Medicine. When this Faculty underwent a reform in 1822, he retained only the title of Emeritus Professor. The noble founder of our Academy named him among its honorary members. His Royal Highness, the Dauphin, came in 1818 to visit Salpetriere, the following day its physician was distinguished with the badge of the order of St. Michael.

Pinel was small in stature, with an animated countenance, an irritable temperament, and a singularly vigorous constitution. Being an idolatrous admirer of the talents of Rousseau, it is related, that having gone with M. Chaptal on a pilgrimage to the tomb of this celebrated writer, he passed five days and five nights without sleep, and with no more relaxation than was necessary to take food; on his return to Paris, in place of yielding to fatigue, he repaired to the school and delivered lectures with his ordinary facility. In 1823 he had an attack of apoplexy. When scarcely convalescent, and while yet feeble and staggering, he desired to renew his visits among the sick; but he soon found that a life of confinement was all that remained to him. At length, in spite of the enlightened attention of the numerous pupils who now constitute the glory of medicine, and who pressed around his dying bed, a subsequent attack carried him off

on the 25th October, 1826. If his loss was sensible to the sciences, it was more severely felt by his family, and by the crowd of wretched beings, of whom he was the father and consoler. At the news of this melancholy event, there was but one cry of anguish within the walls of the extensive hospital. Committees of the Institute, of the Academy, and of the Faculty, followed his remains. In the midst of this solemn assemblage, increased by physicians of the hospitals, and by citizens of all classes, were seen groups of his patients, and even paralytics dragging themselves to the place of burial. What glorious tributes to his memory! the learned by their discourses rendered homage to his genius, the poor by their grief rendered homage to his virtues!

ARTICLE VIII.

CONTRIBUTIONS TO THE PATHOLOGY OF INSANITY.

BY PLINY EARLE, M. D.

Physician to the Bloomingdale Asylum for the Insane.

NO. I.

The pathognomic lessons of Insanity constitute about as much of a *terra incognita* to physicians, as does the continent of Africa to geographers. The general outlines and most distinguishing characteristics have in the former, as well as in the latter case, been pretty accurately determined, but so far as regards the minutiae or details of the subjects, we are, in both, involved in nearly as much obscurity as were our ancestors some centuries gone by. Within the last few years, however, pathologists have prosecuted investigations in this field of science, as Ledyard and the Landers have pushed their researches into the interior of the continent mentioned, and, like them, have discovered new landmarks and increased the boundaries of accurate knowledge.

Hitherto but little, it might almost be said, nothing, has been published in this country relating to the pathology of mental disease, how much soever the subject may have claimed the attention of those concerned in its treatment.

Having made necroscopic examinations in a few cases of Insanity which terminated fatally, I propose to present the results thereof to the readers of this Journal, hoping that they may not be wholly devoid of either interest or intrinsic value.

Diseases of the heart are not unfrequently connected, or at least co-existent with insanity, but how far the one is dependent upon, or the result of the other, is a question which remains to be determined.

In the following cases the heart was in an abnormal condition; in one preternaturally enlarged, and hypertrophied, with incipient ossification of the valves; in the other, remarkably small, either from its natural conformation, or from atrophy by disease; its appearance, together with the generally emaciated condition of the body, indicating the latter.

CASE I.

L. C., an unmarried woman who became insane in early life, was admitted into the Pennsylvania Hospital in 1793, and was subject to paroxysmal, or periodical recurrences of the disease, until the time of her death, in 1840. During the last twenty three years she had lived wholly in an asylum, having one paroxysm or more every year, and her mind, during the intervals, being essentially impaired. The first record of a paroxysm was in May, 1832. It is stated that she was then very irritable, "scolded," said much against her friends; that she had a burning sensation in her head, oppression of the chest, palpitation; that her extremities were swollen, and she frequently started suddenly in her sleep, or waked, as the French would say, *en sursaut*, a term more expressive of the phenomenon than any in the English language.

In May, 1833, she had a similar attack, was noisy, cross, jealous and abusive; had palpitation and thoracic oppression; the ankles being swollen and covered with an erythematous inflammation. These attacks subsequently occurred every spring, and sometimes in the autumn.

She came under my observation in April, 1840, and during the following month had a severe access of the disease. All the symptoms were similar to those before described. The pulse was very rapid and irregular; and the difficulty of breathing so great as to render the sitting posture necessary, even in bed. She recovered in about four weeks, and remained well two or three weeks, when a relapse took place, and she expressed a belief that she should not again get well. She however improved, and on the 12th of July I made the following entry in the record of her case.

"She has walked in a posture somewhat more stooping than habitual, ever since the former period of excitement commenced, complaining of soreness of the shoulders and the back of the neck. This morning she appeared more erect than before."

She was about the house throughout the day, and worked some. In the evening she remarked to me that her left arm felt as if she had no use of it. She retired apparently as well as at any time during the day. At 2 o'clock in the night, according to the testimony of the person who was on watch, she was sitting up in bed, asleep; a condition of things which attracted no particular notice, as it had frequently occurred before. When the attendant opened the door of her room in the morning of the 13th, she was lying on her left side, dead.

Autopsy—28 hours after death.

Rigidity of limbs mediocre; skin reddish around the ankles.

Head.—A small sore on the scalp, directly on the crown, beneath the cellular tissue is inordinately red, from extravasated blood. Adhesion of scalp mediocre. Cranium rather thicker than ordinary, and of medium density. Du-

ra mater strongly adherent, particularly along the longitudinal sinus or medium line, where it appears fused into the bone. Arachnoid thickened so as to have the appearance of a dense membrane upon the summit of both hemispheres, in many places opaque. Effusion of one ounce of bloody serum in base of skull. Pia mater has a general blush of inflammation, almost scarlet. It is very much thickened, and in places has opaque patches of effused lymph. Cortical substance apparently normal. Medullary, numerous bloody points on section. Posterior commissure very large and soft. Corpus Callosum, $1\frac{1}{2}$ inches in its antero-posterior diameter. Velum interpositum much thickened with a granular or tuberculous deposition, surrounded by numerous small vessels, giving it a scarlet appearance. No effusion in ventricles. Optic thalami thought to be abnormally soft. Tubercula quadrigemina softened. Crus cerebri has appearance of a homogeneous mass, except on the under surface, where the fibres are visible. The Pons varolii appears harder than usual, and the Pia Mater adheres to it. Cerebellum. Pia Mater thickened, and strewed with patches of small, granular bodies, particularly on the posterior and inferior regions.

Thorax.—Left lung adherent, posteriorly, and at the apex. Emphysematous throughout the anterior border, and top. Four ounces of bloody serum in the cavity of the pleura.

Right Lung, strongly adherent except posteriorly; the three lobes strongly adherent to each other. Two ounces of bloody serum in pleural cavity. Posterior parts of both lungs filled with black liquid blood.

Heart. Position natural. Pericardium normal. Length of heart 5 inches, width at base $4\frac{3}{4}$; circumference $10\frac{1}{4}$, nearly covered with adiposea. Right auricle filled with a dark coagulum, parietes unusually thin. Ariculo-ventricular orifice $1\frac{1}{4}$ inches in diameter. Right ventricle filled with a dark clot. Parietes $\frac{3}{4}$ inch thick. Columnae carnae fully developed. Tricuspid valve contains numerous spots of cartilaginous deposition, some large, and elongating its wing

in such manner as to leave an opening or sinus which could hardly be effectually closed by the valves. Pulmonary artery contains a coagulum. Valves normal.

Left auricle empty. Left ventricle, parietes, in thickest part, $\frac{2}{3}$ of an inch, and at apex, $\frac{3}{4}$ of an inch thick. Mitral valve completely cartilaginous, with points of incipient ossification. Aortic valves normal, except the deposition of a small, cartilaginous body in two of them.

Abdomen offers nothing unusual of importance.

CASE II.

Mrs. A. A. M., a widow, aged 44 years, temperament nervous—bilious, veins of medium size,* came under my care on the 20th of March, 1841. She had been insane about one year, her disease assuming the form of Melancholia. She had once attempted self-destruction. When I first saw her, she was much emaciated, pulse quick and small, appetite poor. She refused to eat, saying she had no stomach. Her digestive organs were much disordered, appetite almost null, and the tongue generally coated. During three months, she rarely took food voluntarily; her regimen consisted mostly of arrow-root, eggs uncooked, and cream, to which wine was added when her condition required it. Her mind was continually shadowed by a dark cloud of melancholy. She often begged to be "buried in a grave," for she was "just like a log;" or "to be laid in her bed, at home, where she could look upon her dear boy for ever and ever, because she could never be off the face of the earth;" to be "put into the creek," or to "be thrown into the ocean, where she might float away, for she never could be off the face of the earth;" and yet, she had a fear of water almost as excessive as that of the victim of hydrophobia. Even when her disease had so far progressed that she was barely able to speak, she continually wearied herself, and an-

* This observation is recorded, because the idea has been broached, that persons whose veins are large, are more predisposed than others, to melancholia

nayed others, with the details of her "awful condition," in being doomed "to remain on the earth for ever."

She attributed all her misfortunes to her imprudence in drinking, as she said she did intentionally, an infusion of *Cantharides*, or, as she termed it, "some tea made of three cents worth of flies." She frequently declared that this fluid "destroyed all God's creation, burned up her heart, lungs, stomach and brain; and left nothing but her breath;" and hundreds of times exclaimed, "O, if I had'n't taken those flies, I might have been well."

On the 25th of June she was much more feeble, and emaciated to the last degree; the skin was pallid, pulse small, and ranging from 80 to 100 beats per minute; hand, feet and loins swollen; muscles of the left side of the mouth less used in speaking; than those of the right side.

On the 27th, a colliquative diarrhœa commenced; and in the afternoon, she was restless and much distressed; the hands and feet purple and cold, respiration 60 per minute. At 7 o'clock, P. M., she died, her delusion remaining unchanged.

Autopsy—morning of the 28th.

Last degree of emaciation. Slight oedema of feet and legs. Integuments very pale.

Head.—Scalp connected with the bone by slight cellular tissue.

Cranium, averages three-eighths of an inch thick. Usual quantity of diploe.

About one and a half ounce of bloody serum ran out while opening the cranium: as much more at the base of the brain.

Dura Mater, thickened along the sides of the longitudinal sinus; adherent by strong threads to the *Pia Mater*, both in this region and in several places at the base of the brain.

Arachnoid, thickened throughout: more so on either side of the sagittal suture. In some places semi-opaque,

adheres to Pia Mater throughout the upper half of the right hemisphere. Immediately beneath the "crown," one half on either side of the longitudinal sinus, a space the size of a dollar is covered with a white, granular, opaque substance, which involves the Arachnoid and the Pia Mater. The same appearance is presented along the sides of the longitudinal sinus, for three quarters of an inch, both anteriorly and posteriorly to this spot. Several ecchymoses, or patches of extravasated blood, at the summit of the right hemisphere.

Pia Mater, considerably injected, and in some places adherent by cord-like attachments to the cerebral substance.

Cineritious substance apparently normal. Sulci deep. A space the size of a cent in the under surface of the middle lobe of the left hemisphere is softened.

Medullary substance. The section is strewed with innumerable bloody points.

Lateral Ventricles. Each contains about one drachm of serum.

Other parts of Brain normal.

Thorax.—Lungs. Two ounces of serum in each cavity. Mucous membrane of trachea and bronchi, in both lungs, is injected, and in some parts thickened.

Heart. Very small, length two inches, diameter one and three quarter inches; circumference at base six and one quarter inches. Tricuspid valve semi-cartilaginous. Mitral valve opaque, corrugated and semi-cartilaginous. The capacity of the left ventricle is less than that of a table spoon. Near the apex of the right ventricle, the parieties have degenerated into a yellowish, semi-transparent gelatine form substance, which, on the outside, is prominent, and has the appearance of a cyst. A membrane thinner than paper, lines the internal surface.

Oesophagus. Mucous membrane thickened.

Abdomen.—Stomach, Mucous membrane remarkably thickened, in all parts, and mammellated throughout; more so along the great curvature, where every mamelon is tipped with ecchymosis. Membrane not softened.

Intestines. Mucous membrane thickened.

Liver. Seven and a half inches in diameter, laterally; six inches antero-posteriorly; two and a half inches thick; unusually hard. Spleen small and very hard.

The Capsule of the left kidney contains half an ounce of orange colored liquid, and a quantity of matter like the cyst on the heart, is on the kidney.

QUERY.—Was the general thickening of the mucous surfaces in this case, the effect of the infusion of cantharides?

ARTICLE IV.

AUTHORITY TO RESTRAIN THE INSANE.

*Supreme Judicial Court of Massachusetts, January, 1845,
at Boston.—Matter of Josiah Oakes.*

A person who is insane, or delirious, may be confined, or restrained of his liberty, by his family, or by others, to such extent, and for such length of time, as may be necessary to prevent injury or danger to himself and others.

Such confinement and restraint may be in his own house, or in a suitable asylum, or hospital.

The repetition and frequent occurrence of acts, without any motive sufficient to actuate persons of ordinary sense, are evidence of aberration of mind; and in such cases, accumulation of proof becomes important.

Such aberration of mind will authorize the restraint of the person subject thereto, although he has not committed any actual violence.

This was a case of habeus corpus, prosecuted to procure the discharge from confinement of Josiah Oakes, who was committed to the McLean Hospital for the Insane, on the 16th of December last. The case was heard before the whole court, and the hearing occupied the whole of two days. The application of Mr. Oakes's sons for his admission into the asylum was produced, and their agreement to pay his board. All the proceedings appearing to have been regular, the court ruled that the burden was upon the petitioner to make out a sufficient case for his discharge. A large

number of witnesses were called, who testified that they were acquainted with Mr. Oakes, and considered him a man of much industry and shrewdness, and also that they should not have inferred, from his conduct or appearance, during the last three months, that he was not in his right mind. Several of them said, however, that his faculties might have been affected by age. To sustain the detention of Mr. Oakes, the deposition of Dr. Bell was read, and a number of witnesses were called, among whom were Dr. John Fox, under whose immediate charge the prisoner was at the asylum, several members of the family, and other acquaintances. They testified to some irregularities in the conduct and conversation of Oakes, and Dr. Fox gave it as his decided opinion that he was insane. It appeared that Oakes had formerly been confined in the Asylum for ten days, for a temporary alienation of mind, and was then discharged as cured. His wife died in October last, and for a short time previous, and since her death, a change in his appearance had been noticed.* After the testimony was concluded, the counsel who opposed the petitioner stated that it was a mere question of evidence, and that he did not consider it necessary to argue it to the court. The counsel on the other side made an argument in favor of the release of Mr. Oakes.

B. F. Hallett and Geo. A. Smith, for the petitioner.
Buttrick, of East Cambridge, against the petitioner.

C. J. SHAW, in delivering the opinion of the court, said that the court had examined the testimony, and bestowed upon the case the time and attention which its great importance demanded. The subject was one in which every member of the community has a deep and abiding interest.

* Mr. Oakes, who is sixty seven years old, became infatuated after a young woman by the name of Sarah Jane Neal, and engaged to marry her a few days after the death of his wife. To prevent the marriage, prosecutions were commenced against her in the police court, by some members of the family, for lewdness of conduct.

The power of granting relief upon habeus corpus is, in one sense, a discretionary power. But a discretionary power is not an arbitrary power. In exercising it the court are bound by the rules of law, as applicable to the facts of each particular case. The circumstances under which persons may be legally detained are extremely various, and a correct judgment in each case requires the exercise of judicial discretion.

Mr. Oakes has been placed in an insane hospital, a known public establishment, with a responsible board of trustees; and so far it has always been regarded as a satisfactory and useful institution. It may be called a boarding-house, or a place of relief, protection and cure, for a person whose mind is diseased. It has been inquired by what power he is there confined? It has been argued, that the constitution makes it imperative upon the court to discharge any person detained against his will; and that by the common law, no person can be restrained of his liberty, except by the judgment of his peers, or the law of the land. But we think there is no provision, either of the common law or of the constitution, which makes it the duty of the court to discharge every person, whether sane or insane, who is kept in confinement against his will. The provision, if it be true, must be general and absolute, and not governed by any questions of expediency to suit the emergencies of any particular case.

The right to restrain an insane person of his liberty, is found in that great law of humanity, which makes it necessary to confine those whose going at large would be dangerous to themselves or others. In the delirium of a fever, or in the case of a person seized with a fit, unless this were the law, no one could be restrained against his will. And the necessity which creates the law, creates the limitation of the law. In the case of an application to have a guardian appointed over the person and estate of an insane person, under the statute, some time must necessarily elapse before the appointment can be made, and during that time restraint may be necessary. If there is no right to exercise that re-

straint for a fortnight, there is no right to exercise it for an hour. And if a man may be restrained in his own house, he may be restrained in a suitable asylum, under the same limitations and rules. Private institutions for the insane have been in use, and sanctioned by the courts; not established by any positive law, but by the great law of necessity and humanity. Their existence was known and acknowledged at the time the constitution was adopted. The provisions of the constitution in relation to this subject must be taken with such limitations, and must bear such construction, as arise out of the circumstances of the case. Besides, it is a principle of law that an insane person has no will of his own. In that case it becomes the duty of others to provide for his safety and their own. But whose duty does it become? If we say of his children, he may have no children; if of his parents, brothers or sisters, he may have no relatives who can perform the duty. Those who are about him must exercise it. His children, his wife, his brothers or sisters are suitable persons to take the charge of him if they are at hand. But a stranger, in a hotel or a boarding-house, may become delirious. In that case it becomes incumbent on those about him to restrain him, for such time only as the necessity for such restraint continues. The same rule may apply in the case of some surgical operations, where a person cannot have any will of his own, and it becomes necessary that he should be held by others.

The question must then arise, in each particular case, whether a person's own safety or that of others requires that he should be restrained for a certain time, and whether restraint is necessary for his restoration, or will be conducive thereto. The restraint can continue as long as the necessity continues. This is the limitation, and the proper limitation. The physician of the asylum can only exercise the same power of restraint which has been laid down as to be exercised by others in like cases.

The present is one of the cases in which insanity must be inquired into by judicial tribunals. In such inquiries we

must carefully keep in mind the object of the inquiry. The same rules do not apply to the same extent in this case, which apply in the case of a person who has committed a crime, and is sought to be excused on the ground of insanity. And when it becomes necessary to appoint a guardian under the statute, there, evidence of imbecility, improvidence or wandering of mind, without any dangerous form of insanity, becomes material, although it would not be in a case like the present. Many considerations have weight in one case which would have none in the other. We must not fall into the general notion, that a person is not to be considered insane, merely because he does not always show wildness of conduct in his every-day appearance. Since the subject has been scientifically investigated, we know that a person may show sagacity in his business, but still be decidedly insane on some one subject. There is one class of cases in which, at a particular period of life, a person's character appears to undergo a change, and the existence of a hallucination or delusion is shown, which can not be removed by reasoning, argument, or persuasion. This species of insanity frequently shows itself in outbreaks of passion, on occasions where there appears no cause sufficient to produce them in a person of sound mind.

From a survey of the evidence we have come to the conclusion, that Mr. Oakes is laboring under such a delusion as renders it proper that he should be restrained, at least for a time. He has before been in the same hospital, and his cure after ten day's confinement at that time, indicates the proper course to be pursued now. That was a case of temporary alienation of mind, or excitement. Before his confinement he had made a contract to do a piece of work for Mr. Bowman, which he went on and completed immediately after his release; and Mr. Bowman, testifies that the contract was a good bargain for Mr. Oakes. This shows that it was not a necessary consequence of insanity, that he should make an improvident contract. The general tenor of the evidence is, that Mr. Oakes was a careful, prudent,

industrious man, attached to his children, and to his wife, and that the most perfect confidence subsisted between him and his wife. He resided at Cambridgeport for a time, and afterwards at East Cambridge. His business was wharf building, and pile driving, which he conducted with prudence and success. He was a man of strong feelings and passions, easily subject to excitement, which however, readily subsided. This is usual with persons of much energy of character. He occasionally ill treated his wife, and frequently used harsh language. He had been quite a domestic man, but now began to be frequently absent in the evening, causing anxiety to his family. His wife died in October last. He did not manifest the feeling upon that occasion, which was to be expected from a person in his right mind. On the evening when his wife was in a dying condition, of which he was informed, he left the house, and passed the evening at a house in Boston, in the company of the person to whom he afterwards became engaged. When he came home, he asked if his wife was dead, in a manner which exceedingly shocked the feelings of his daughters. His conduct at the funeral showed a perversion of mind. It may be said, that this was a consequence of his resenting the attempt of the family to put him under guardianship, and confine him in the insane hospital. But he did not manifest such resentment. When speaking upon the subject, he said that they were not to blame, for they supposed he was really insane. To a man acting under ordinary motives and feelings, such resentment, although it might be naturally felt for the time, could not be lasting.

On considering his state of mind, his alternations of depression and excitement, we think he did not act from ordinary motives and feelings. His persisting in his intention to marry the young woman who has been spoken of, and refusing to believe the evidence of her bad character, are indications of this. It is in evidence that he positively declared to his friends, who were much shocked at his declared determination to be married, that he would not marry

the girl under six months; and afterwards made repeated attempts to have the ceremony performed within two months of his wife's death. The fact of an old man, a widower, wishing to marry a young wife, is not of itself evidence of insanity. But the circumstances, and the conduct of Mr.

Oakes, attending the proposed marriage, are evidence that he was laboring under a hallucination of mind. His refusal to believe any evidence of the girl's bad character, his unlimited confidence in his own knowledge, his letter to Governor Morton and to his son, all show the morbid excitement of his mind. The testimony of Dr. Fox, the physician at the asylum, is important. His comparison of the tenor of his conduct and appearance at the time he was before confined in the asylum, serves to show his state of mind. He has always, when in this state, said he could at any time make a large fortune in a short time,—could become independent again in a few months, if he should lose all he had,—that it was impossible that he could make a bad bargain,—and that he must always make money,—it could not be otherwise. He declared that he would not believe the character of the girl to be bad, although she should be convicted,—that he knew better than all the courts and the juries.

Dr. Fox testifies that he has no doubt that Mr. Oakes is insane. His opinion must have great weight in this case, from his skill and experience in the treatment of insanity. He has had the care of insane persons for a long time. If we can not rely upon the opinion of those who have the charge of the institution, and there is no law to restrain the persons confined, we must set all the insane at large who are confined in the McLean Asylum. He thinks it dangerous for Mr. Oakes to be at large. Dr. McLellan, a physician at East Cambridge, whose testimony is in the case, expresses a different opinion. He says he had a conversation with Mr. Oakes of about twenty minutes. He could discover no indications of an insane mind. He knew nothing of the character of the girl, or of the facts and circumstances of the case, except as they were stated to him by

Mr. Oakes. It is well known, that persons laboring under a delusion often reason with sagacity upon false premises. On the other hand, Dr. Fox is bound by his duty, his profession, and his responsibility to the public, to bestow a careful examination upon cases like this, and his opinion may well overbalance one which is formed upon so cursory an interview as that of Dr. McLellan's. Mr. Tyler, the steward of the institution, confirms the statement of Dr. Fox, as to the appearance and conduct of Mr. Oakes. It is not necessary to consider the deposition of Dr. Bell, as it would not vary our conclusion upon the case.

No objection can be made to the competency of the children as witnesses. If there were anything to justify a belief in a combination of the family for sinister purposes, they would not be entitled to much confidence. But their testimony appears candid and unobjectionable, and there is nothing which shows any improper design. A unanimity of purpose in the family is no evidence of sinister intentions, unless the object sought to be obtained by the combination is unlawful or improper. The object here appears entirely laudable, and intended for the good of a parent whom they love and respect. If they considered the marriage as a rash act, and a consequence of his insanity, they were justified in attempting to prevent it. His earnestness in obtaining the publication of an article which his son and the printer considered libelous, and his giving a bond, in the unnecessarily large sum of \$10,000, to save the printer harmless, show that his mind was morbidly excited. It has been objected that one of the sons prepared the bond, and said that he thought he would see how far his father would go into the matter. But he was requested by his father to put it in shape, and he at the same time enjoined it upon the printer not to publish it. The father showed a determination to carry the matter through, and had other legal advice besides that of his son.

Mr. Oakes's eagerness to engage in a large speculation in real estate, as stated by Dr. Parkman and Capt. Richardson

and his conduct in regard to it, are also in point. The fact of a person's engaging in extravagant or daring speculations, is not of itself sufficient evidence to prove him insane, but the manner in which Mr. Oakes conducted the affair, shows his mind to be unsound. Dr. Parkman saw, by his elevation of manner, that he was not in a fit state to conclude the large purchase which he desired to make, and refused to make the bargain unless he would get the consent of his family. Mr. Oakes, under the delusion that such consent was the only obstacle to his wishes, went to his son-in-law, Mr. Houghton, told him he would give him \$100 to go to Dr. Parkman, and give his consent, and took out the money at the time and offered it to him. He afterwards went to Capt. Richardson, his brother-in-law, who lives in Duxbury, and offered to give him \$50 a day to come with him to Boston, and go to Dr. Parkman and give his consent.

The repetition, and frequent occurrence of acts without any motives sufficient to actuate people of ordinary sense, necessarily induces a belief that the person who commits them, is under a delusion. In cases of this kind, accumulation of proofs becomes of considerable importance. It will not be necessary to examine the proof on the other side at any considerable length. It is not any want of sagacity in his usual business transactions which induces us to think Mr. Oakes insane, but his evident hallucinations, and his acting under unnatural excitement upon certain points. His overseeing his business correctly, and carefully seeing that the piles were driven well, does not prove him to be sane. He was under no delusion on that subject. His directions to Whitwell, the constable, showed only the shrewdness which frequently accompanies insanity.

Taking all the evidence together, we are of the opinion, that Mr. Oakes is under the operation of that degree of insanity, which renders it proper that he be restrained in the hospital; that his insanity is temporary in its character, and that the restraint should last as long as is necessary for the safety of himself and of others, and until he experiences

relief from the present disease of his mind. Dr. Fox does not say positively that he considers his being at large as dangerous to others. But this species of insanity leads to ebullitions of passion, and in these ebullitions dangerous acts are likely to be committed. If committed, he would be excused from punishment on the ground of insanity. His daughters testify, that, if he carried weapons, they should be afraid of him. But there would be the same danger from weapons which might happen to be at hand, at the time of any occasional outbreak.

At present, we think that it would be dangerous for Mr. Oakes to be at large, and that the care which he would meet with at the hospital, would be more conducive to his cure than any other course of treatment. It is, therefore the order of the court, that he be remanded to the McLean Asylum, to remain there until further action upon the subject.—*Law Reporter*, July, 1845.

ARTICLE V.

ON THE RELATIVE LIABILITY OF THE TWO SEXES TO
INSANITY.

BY JOHN THURNAM, M. D.

[Read before the Statistical Section of the British Association at York,
September 28th, 1844.]

The opinion which appears to have recently obtained, that insanity is more prevalent amongst women than amongst men, has, I believe, originated in an erroneous method of statistical analysis. Dr. Esquirol, who appears to have inclined to this view, was at great pains in collecting information as to the proportion of *existing* cases of insanity in the two sexes in nearly every country of the civilized world; and, having found that, taking the average of different countries, the proportions were those of 37 males to 38 females, he concluded that his inquiry refuted the opinion which has prevailed since the time of Cælius Aurelianus, that women are a little less subject to insanity than men. In this view Esquirol is followed by Drs. Copland, Brown, and Millingen; and indeed, by every recent writer on insanity. It is, however, well known that, in all European countries, the proportion of adult females in the general population exceeds that of males. In England and Wales, according to the census of 1821, there was an excess, at all ages above 15 or 20 years, of about 4 per cent.; and according to the more accurate census of 1841, an excess of 4 per cent. at all ages, and of about eight per cent. at all ages above 15 or 20 years. Of this general law, Esquirol was aware; but he does not appear to have known that, from 20 to 50 years of age

when, in this country at least, insanity chiefly occurs for the first time, there is a still greater excess of females; an excess which is higher from 20 to 30 years of age than it is subsequently; it being 12 per cent. from 20 to 30, 6 per cent. from 30 to 40, and 4 per cent. from 40 to 50, years of age. Thus assuming only a like liability of the two sexes to insanity, we should expect to find a much greater number of cases amongst women, and one corresponding to this excess of the same sex in the general population, at those ages when insanity chiefly occurs.

The only two institutions, however, that I am acquainted with in this country in which there has been any material excess of females admitted during extended periods are the hospitals of Bethlem and St. Luke; and in these there has been, at different and extended periods, an excess of women admitted amounting to 20, 30, and even 45 per cent. This, however, may depend on local circumstances peculiar to the metropolis; and, consequently, does not in any degree establish Dr. Haslem's opinion, that, "in our own climate, women are more frequently afflicted with insanity than men;" a statement which has been recently repeated by Dr. Webster in his remarks "on the Statistics of Bethlem Hospital."* That there may be something peculiar in the circumstances of the metropolis in connection with the prevalence of insanity in the two sexes, at least as regards the poorer and more dependant classes of the community, is a view which is confirmed by there having been a slight excess of females admitted both at Hanwell and in the licensed metropolitan asylums for paupers; though it is to be observed that, during the last five years, the excess at Hanwell, never very great, has been gradually diminishing, and up to 1843, only amounted to 2 per cent. According to the census of 1841, there appears to be a larger proportion of females living in the metropolis from 20 to 50 years of age, as compared with the

* Haslem, "Observations on Madness," 2d edition, 1809, p. 245. Webster, in "Medico-Chirurgical Transactions," vol. xxvi. 1843, p. 380.

kingdom generally; but whether the difference be large enough to account for the greater number of women admitted into the metropolitan asylums and hospitals is, perhaps, doubtful. The excess per cent., at these ages, of women over men appears to be in the proportion of 18 in the metropolis to 8 in the country; that is to say, there were, in 1841, living in England and Wales 100 men to 108 women, at from 20 to 50 years of age. At all ages there appears to be a greater proportion of females in the metropolis than in England and Wales; there having been an excess of 13 per cent. at all ages, and of 19 per cent. at all ages above 20. Whatever may be the cause of the difference in the relative proportions of the two sexes admitted into metropolitan asylums, it does not appear to extend to the middle and upper classes of society; for in the licensed metropolitan asylums for private patients, (1833-40), there has been an excess on the side of males admitted amounting to 38 per cent.

But there is another fallacy in Esquirol's method of investigating this subject, in consequence of his having compared with each other the *existing*, instead of the *occurring*, cases of insanity in the two sexes. Were the progress of insanity the same in men as in women, and our object simply that of determining the relative liability of the two sexes to insanity, the comparison of the cases existing at one time, would serve as well as that of the numbers occurring during any given period. This, however, is not the case; for, as I have elsewhere shown, the mortality of insane men, on an average, exceeds that of insane women in the public asylums of this kingdom by 50 per cent. Thus we find that the excess in the mortality of males above females is, at the Retreat, at the rate of 37 per cent., in the metropolitan licensed asylums of 63 per cent., at Bethlem of 71 per cent., at Hanwell of 80 per cent., and at the York Asylum of 93 per cent.; the mortality in males being nearly double what it is in females. As the mortality of males in the general population is not more than 7 or 8 per cent. higher than that

of females, † it will be evident that, out of equal numbers attacked, the existing cases of insanity in women will accumulate much faster than those in men; and that they will necessarily be much more numerous, as compared with the *occurring* cases, than will the existing cases in the latter sex. According to the "Report of the Metropolitan Commissioners in Lunacy," there were, in asylums of all descriptions in England and Wales, on the 1st of January, 1844—

Insane Persons.	Males.	Females.
11,272	5,521	5,751; of whom there were
7,482 paupers.	3,532	3,950

—being an excess on the side of females, of *existing* cases of insanity, of 4 per cent, in all classes, and of nearly 12 per cent. in paupers.

It may, perhaps, be objected to the results of any inquiry into the liability of the two sexes to insanity which is founded on the proportions of females admitted into public and private asylums, that, from various causes, women are more likely to be detained at home than men. As regards the middle and higher classes I believe this to be the case; but, as respects the pauper insane, I do not think that such a tendency can affect the results in any material degree. Women are, indeed, sooner rendered entirely dependent, as a consequence of mental disorder, than men; and I should conclude that any greater indulgence to, and tolerance of, the eccentricities of the sex, when the subjects of insanity, will be more than compensated by the frequently greater difficulty of affecting the removal to an asylum, of the insane father, husband, or brother.

In order that the comparison of the occurring cases be a strictly accurate one, the proportions of the two sexes, at the several ages, *attacked with insanity* for the first time, should be compared with the proportions in which the two

† The mean annual mortality of England during four years, 1838-41, was 2.31 per cent. for men, and 2.13 per cent. for women.—*Fifth Report of Registrar General*, p. 11.

sexes, at the same ages, *exist* in the community in which such cases occur. The nearest approximation to this method which we have the means of employing is, by assuming that the proportions of men and women *admitted* into public institutions during extensive periods represent, as on the whole they probably do represent, the cases which *occur* for the first time. The following table is calculated on this principle.

On an examination of this table we ascertain that, in 24 of the 32 asylums which it comprises, there has been a decided excess of men in the numbers admitted. In many British asylums the excess amounts to 25, 30, and even 40 per cent.; and in the whole number of 32 asylums there is an average excess on the side of the male sex of 13.7 per cent. In the 9 English county asylums, contained in the table, the excess amounts to 12 per cent. Dorset is the only county asylum in which the proportion of women admitted has materially exceeded that of men.

Whether in this asylum an unusually large provision has been made for females, and consequently a larger proportion of applications for the admission of men have been rejected, or whether in the county of Dorset any peculiar causes are actually in operation which are capable of explaining such an exception to a general law, I am at present unable to determine.

Having thus shown that, in the principal hospitals for the insane in these kingdoms, the proportions of men admitted is nearly always higher, and in many cases much higher, than that of women; and as we know that the proportion of men in the general population, particularly at those ages when insanity most usually occurs, is decidedly less than that of women, we can have no grounds for doubting that men are actually more liable to disorders of the mind than women.

Table showing the Numbers and Proportion of each Sex, out of 71,800 Cases, admitted into various Asylums.

Name of Asylum and Period.	Numbers of each Sex Admitted.		Proportions per Cent. of each Sex.		Excess per Cent. of one Sex over the other.	
	Male.	Female.	Male.	Female.	Male.	Female.
1. Bloomingdale, New York, (20 $\frac{1}{2}$ years, 1821-42)	1,692	905	65	35	86	.
2. Siegburg, (9 years, 1825-33)	404	226	64	36	78	.
3. Dumfries, (4 years, 1839-43)	147	92	61.5	38.5	59	.
4. Charenton, (11 years, 1815-25)	1,245	804	61	39	54	.
" (8 years, 1826-33)	982	625	60	40	49	.
5. Schleswig, (15 years, 1820-35)	342	224	60	40	52	.
6. Licensed Metropolitan Asylums, not paupers, (1833-40)	1,419	1,028	58	42	38	.
7. Perth, (11 years, 1827-38)	190	141	57.5	42.5	34	.
8. Cornwall, (22 years, 1820-42)	407	310	57	43	31	.
9. Nottingham, 31 $\frac{1}{2}$ years, 1812-43)	937	726	56.3	43.7	29	.
10. Armagh, (16 $\frac{1}{2}$ years, 1825-41)	649	505	56	44	28	.
11. Clonmel, (7 years, 1835-42)	206	162	56	44	27	.
12. York Asylum, (25 $\frac{1}{2}$ years, 1814-40)	765	607	56	44	26	.
13. Lancaster, (26 years, 1816-42)	2,042	1,599	56	44	27	.
14. Maidstone, 5 years, 1833-38)	195	158	55	45	23	.
15. Glasgow, (28 years, 1814-42)	1,456	1,191	55	45	22	.
16. Richmond, Dublin, (5 years, 1832-39)	331	277	54.5	45.5	19	.
17. Lincoln, (21 $\frac{1}{2}$ years, 1820-42)	467	391	54.5	45.5	19	.
18. Dundee, (22 years, 1820-42)	466	427	53.7	46.3	16	.
19. Gloucester, (20 years, 1823-42)	661	586	53	47	12	.

20. Frankford, U. S. Society of Friends, (25 years, 1817-42)	405	379	52	48	7	.
21. Worcester, U. S., (10 years, 1833-42)	606	751	51.8	48.2	7	.
22. Hartford, U. S., (19 years, 1824-43)	640	607	51.3	48.7	5	.
23. Wakefield, (23 $\frac{1}{2}$ years, 1818-42)	1,527	1,479	51	49	3	.
24. Belfast, (13 years, 1829-42)	621	622	50	50	.	.16
25. Woodbridge, (13 years, 1829-42)	499	500	50	50	.	.20
26. Carlrow, (10 years, 1832-42)	247	250	49.7	50.3	.	1.2
27. Hanwell, (11 $\frac{1}{2}$ years, 1831-42)	1,189	1,219	49.3	50.7	.	3
28. Cork, (13 years, 1827-39)	954	1,009	49	51	.	5
29. Licensed Metropolitan Asylums, paupers, (6 years, 1833-40)	1,479	1,520	48	52	.	7
30. York Retreat, Society of Friends, (44 years, 1799-40)	282	333	45.8	54.2	.	18
31. Dorset, (11 $\frac{1}{2}$ years, 1832-43)	184	224	45	55	.	21
32. Bethlem, curables, (20 years, 1823-42)	1,782	2,622	40.5	59.5	.	47
Total of the above, (1796-1843)	25,601	22,502	53.2	46.8	13.7	.
9 English County Asylums; 8, 9, 13, 14, 19, 23, 25, 27, and 31.	48,103					
	7,041	6,803	53	47	12	.
33. Bethlem all cases, (46 years, 1748-94)	4,042	4,832	45.5	54.5	.	19
34. St. Luke's, curables, (82 years, 1752-1834)	6,037	8,786	40.7	59.3	.	45.5

For other Metropolitan Asylums, see also 6, 27, 29, and 32.

It is always satisfactory when those reasonable conclusions, which we have previously formed from general considerations of the nature and tendencies of the particular causes which are in operation in any class of facts, are confirmed by accurate statistical inquiry. From a just consideration of the differences in the physical and moral constitution, as well as in the generally prevailing external circumstances of the two sexes in civilized communities at the present day, it was, I think, *a priori*, highly probable that men should possess a somewhat greater liability to mental disorders than women; and this was a conclusion at which, independently of any statistical inquiry, the ancient physicians had even arrived. And it is thus important to observe, that it was by a *faulty application of the methods of statistical analysis* to this question, by the deservedly distinguished Esquirol, that a contrary conclusion was come to by that diligent, but, in statistical questions, not always accurate, inquirer; and that it has been chiefly on his authority, and on that of authors who, on this subject, have copied from him, that we have been in danger of admitting the erroneous doctrine that women are more liable to insanity than men.

It is still highly probable that different countries,* and perhaps even the same country at different periods, as well as different communities and different ranks and classes in the same country, may vary very much as regards the proportion in which men suffer from insanity more than women. Thus, it appears tolerably well ascertained that a larger proportion of women, relatively to the other sex, become insane in France as compared with England. Though, as we have seen, this is less certain as respects the metropolis when compared with the rest of this country. In this respect,

* The above table shows that, during 15 years at the Asylum at Schleswig, Holstein, the proportion of men admitted exceeded that of women by 52 per cent.; and at Siegburg, near Bonn, on the Rhine, during 9 years, by 78 per cent. According to the official return of Dr. Holt, the existing number of the insane throughout Norway, in the year 1825, was in the proportion of 1 to 506 1-2 of the male, and 1 to 597 1-2 of the female population.

we have seen that the statistics of our own metropolis appear to resemble those of France, rather than those of the rest of England.

In this point of view, the experience of the Society of Friends is not without considerable interest. At first sight it might appear that, in this community, women are actually more liable to insanity than men; for, without any greater facility existing for the admission of females, the number of women, members of that society, who have been admitted into the Retreat has exceeded that of men by 18 per cent., or, in other words, only 45 men have been admitted to 55 women. But it is requisite to know the relative proportions of the two sexes in the Society of friends, as a body, before we shall be justified in determining that insanity is really more prevalent amongst the females of that community. By returns, however, from all parts (each "monthly meeting") of England and Wales, it appears that in the Society of Friends the excess of women over men, at all ages, amounts to about 20 per cent.; and there can be little or no question that the excess of *adult* females is still greater.† Indeed, after 15 years of age, before which insanity seldom occurs, we can, I think, scarcely estimate the excess of females over males in this community at less than from 30 to 35 per cent. And thus assuming, as there is every reason for doing, that, as respects the proportions of the two sexes attacked, the experience of the Retreat represents that of the society at large, it will appear that, in this community,

* The numbers in the table refer to cases of all descriptions admitted at the Retreat; but the proportions are the same when members of the Society of Friends are separately considered.

† This larger number of women in the Society of Friends may, no doubt, be chiefly attributed to the larger proportions of men who emigrate, and leave the Society, and are disunited from it, for, on an examination of the Registers of the Society from 1800 to 1837, I find that the births registered were in the proportion of 105.7 males to 100 females; viz. 8207 boys, and 7759 girls. In the whole of England and Wales, in three years, 1838-1841, the births registered were in the proportion of 104.8 boys to 100 girls.—*Fourth Report of the Registrar General*, 1842, pp. 9, 10.

there are still from 10 to 14 per cent. more men than women attacked with mental derangement. This is an excess on the side of men, considerably less probably than that which prevails in the kingdom generally.

The progressive accumulation of females in a hospital for the insane is well illustrated by the experience of the Retreat; where, at the end of 45 years, the women exceeded the men by 30 per cent.; and where the average number of women resident during the whole period was 35 per cent. higher than that of men. At the asylum for the Society of friends at Frankford, Pennsylvania,† (1817—42,) the proportion of men admitted exceeded that of women by 7 per cent. But in the general population of Pennsylvania and the adjacent states, in common more or less with nearly all newly-settled countries, the proportion of males exceeds that of females by about 4 per cent., and, at from 20 to 40 years of age, by 6 per cent. There, however, may be, and probably is less difference in this respect in the Society of Friends in the states alluded to, or the women may even preponderate in this community.

In nearly all points of view it may, in conclusion, be stated, that women have an advantage over men in reference to insanity; for not only do they appear to be somewhat less liable to mental derangement than men, but, when they become the subjects of it, the probability of their recovery is on the whole greater, and that of death very considerably less. After recovery from a first attack, however, the probability of a relapse, or of a second attack, is perhaps somewhat greater in women than in men. Still the more favourable results, as regards the female sex in all these particulars, appears to be much less marked at the Retreat than in nearly every other institution with which I am acquainted. This is worthy of notice, as it is probably due to the greater gen-

† This Asylum is more particularly appropriated to the Society of Friends in the states of Pennsylvania, New Jersey, and Delaware; but patients from other states are also admitted.

eral regularity of life in the men of this community as compared with that of men in the community at large; or, at least, than in those parts of it which furnish inmates to the asylums compared.

Retreat, York, August, 1844.

ARTICLE VI.

HOMICIDAL INSANITY.

Court of Oyer and Terminer, City of New York.

Before Judge Edmonds and Aldermen Henry and Seaman.—M. C. Paterson,
Esq., District Attorney.

MAY 21, 1845.—*Case of Murder.*—Andrew Kleim, apparently belonging to the lowest class of laborers, was placed at the bar charged with the wilful and inhuman murder of Catharine Hanlin, on the 23d of December last, in the 16th ward in New York, by firing her dwelling, in consequence of which she was burned severely, particularly about the neck, and also inflicting a deep wound on her person with a sharp instrument which caused her death.

The greater part of the day was consumed in endeavoring to procure an impartial jury. The panel was exhausted at one o'clock, when a tales was ordered. Several of the jurors empanelled were set aside, some on the ground of entertaining conscientious scruples as to finding a verdict of guilty in a case of murder where death would be the penalty, and others on the ground of formation of opinion, from statements published in the newspapers. The following jury were sworn:—

Stephen Morehouse, foreman; Richard Bogardus, William Winslow, James Duff, Douglass Bingham, Jas. S. Conover, George Ely, Myran French, Herman Griffin, Danforth B. Besse, Thomas B. Clapp, William Moore.

Messrs. Shepard, Porter and Benedict appeared as counsel for the prisoner.

The prisoner was hereupon arraigned in the usual form. The indictment contained eight separate counts. The prisoner pleaded not guilty.

Mr. Paterson hereupon opened the case, the details of which will be found in evidence.

Lawrence Hanlin, son to the deceased, a boy about 13 years of age, was the first witness examined by Mr. Paterson—He stated, I live at 15th street, 2d avenue; I came from Connecticut, near Norwich; my mother, father, uncle, and brother, lived with me in 15th street; we had no yard or back entrance; the entrance to the house is in the front; there are two windows and a door in front of the house; it is one story high; was not at home on Sunday morning, the 22d December, but I came home that evening; my father had his breakfast next morning; it was I who got it for him; it was between six and seven o'clock; my mother was in bed with her baby; I saw Kleim take down two boards off the fence at our house; he then got shavings, blocks and straw out of his own house, and set fire to them at our door; he then broke in the door with a stone or a board; I ran into the room and told my mother; she got out of bed and halloed murder three or four times; she had the baby in her arms; she then ran back from the window to the door, and from thence into the bedroom; after she ran in, I stood at the window and kept halloing all the time; Kleim flung a board at me and knocked down the stove pipe; it was then the neighbors began to come; James Lee pulled me out of the window, Kleim went through the window of his own house, and barred himself up; the neighbors came in and quenched the fire; they then broke in the back part of the house, and took my mother out; they brought her over to Mrs. McGavins; after my mother was taken away, I found the baby under the feet of a Mr Moffat; I saw Kleim with a stick in his hand stirring the fire; I saw him push my mother into the house at the door; he had the stick in his hand

(the stick was here produced;) I do not know that that is the stick he had; (another was produced with a long iron spike in the end;) I can swear that is the stick; I kept at the window, and did not see what my mother did; Kleim was in his house about an hour and a half before he was arrested; our windows were bolted inside; my mother was burned around her breast, arms, and nose; she was stuck in her thigh at her hip, with the knife that was in the end of the stick; heard so from the woman of the house to whom my mother was taken; did not go with her at first, but went some time after; did not go to the hospital to see her; my mother is now dead.

TO THE COURT—I was eating my breakfast when I first saw Kleim; he was taking down his own fence; got the shavings from his own house; put them outside the door under an outshed; I was looking through the window.

Cross Examined by MR. BENEDICT—Was eating my breakfast when I first saw Kleim; it was daylight when I got up; I saw Kleim taking down boards; left my breakfast to see what he was doing; he got shavings and blocks, and set fire to the door by means of them; I stood at the window all the time; I awakened my mother when I saw Kleim set fire to the door; she was awake when my father was going out in the morning; my mother said she would go and get a warrant for Kleim, when she saw him coming to the house; never heard Kleim make any noise before at the shanty, except when he was playing a tamborine; my mother told me that Kleim had hit her with two stones the day before, and that she would get a warrant for him; after the fire got going, he set fire to the shavings; there are no buildings nearer than 3d avenue; there are buildings on 1st avenue; there are shanties across the way with people living in them; said nothing to my mother that morning; Kleim hit the window that I was trying to get out of. I shoved it up a little; I stood as far as the length of the board would reach; Kleim struck at the window, missed me, but knocked down the stove pipe; after he set fire to the house, he stood still keep-

ing me in; could not get out of the door, as the flames were blazing away; my uncle went to work with my father that morning; Kleim did not speak to any one; no one came near him to see him, except a colored woman; when the neighbors came that morning he went into his shanty, and about an hour and a half afterwards, he was arrested by the officers; I did not hear him say anything to them; he had his door bolted; the officers raised the hinges of the shutters and got in; never threw stones at Kleim's shanty, but boys did who came down town; my father never spoke to him, colored women used only to come and see him; he usually kept his head down; Kleim did not come into our shanty at all; saw a number of people moving about that morning; the morning was foggy; Kleim made fight when the officers came to arrest him.

TO A JUROR—Recollects that to be the stick, saw it in Kleim's left hand that morning.

TO THE COURT—The first thing Kleim did was to bear down shavings and put them against the front door. My mother bid me bolt the door; he took a coal of fire out of his own stove; the flames were as high as the top of the door; could not get out the blaze was so great; saw my mother fall in front of the door in the back room; the whole house was filled with smoke.

The Court here suggested that it might be as well to adjourn until half past ten o'clock this morning, and that in the meantime the jurors might go in charge of constables, to 15th street, and view the premises that deceased lived in, which would perhaps be a great guide to them in this case.

JAMES LEE sworn—Examined by MR. PATERSON—I resided near the shanty belonging to deceased, in December last; I knew Hanlin, the husband of deceased; my attention was called to the fire on the morning of the 23d December; I went to the shanty, and was coming into my own house from the store; I heard the cry of fire; I saw the flames about the roof; I called on a man named Brown to run with me; we ran together; when I got to the house, the little boy

Lawrence was crying; I went to the window, and could not get it up; I broke the window through, and did not leave a pane of glass in; I pulled out Lawrence through the window; when I got him out he said, "Oh Mr. Lee my mother will be burned!" I asked him where his mother was; he said "In the bed." I could not enter that window, in consequence of the smoke; I could not enter the door because it was blazing at the time from the fire; I went to the bedroom window, and the shutter was hooked inside; I could not get it open; I went to the back part of the house and looked for another window; there was no window there; I then saw Kleim inside his own house, looking out from the window, with his hands on the window; can't tell whether that is the instant or not; when I first got to the house he was outside the door; went over after to try and break the window in; I then broke the window in, but the smoke was so great I could not get in; I then went round to the back part of the house and broke a hole and got in across the bed, where the woman lay apparently dead; I heard Mr. Boyd and Mr. Moffat took her out; I saw the child after it was taken out.

Cross Examined by MR. SHEPARD—I cannot say how long I was up that morning before the occurrence took place; Kleim ordered me to stand back, when he made a thrust of the stick at me; I think it had iron fixed on it; never took any particular notice of Kleim before this occurrence; never spoke to him; never saw anything peculiar in his conduct; he always kept his head down when he was walking; there was an entrance through one end of the fence; there were three or four boards off the end of the fence; ran back as quick as I could when Kleim made the thrust at me.

ARCHIBALD BROWN examined by MR. PATERSON—I lived in the neighborhood the time of the fire; I got near Kleim and he said something in Dutch; I understood it was to stand back; he had his stove close by the window; and had fire in the stove; he took the stove near the door of Hanlin's

house, and put some straw upon it and some wood ; he then took away the stove and let the fire out of it close to the door of Hanlin's house ; the fire blazed at the time and then the door blazed up ; he went back into his own house, and got in through the window ; he was shut up in his own house ; the two houses are about five yards distant ; Kleim was arrested by the officers. It was said that the prisoner had fire-arms ; the officers broke down his house through the roof and arrested him.

Cross Examined by MR. BENEDICT—When I first got to the fire Kleim was there ; I said " You rascal, what are you doing ? " he said in Dutch or broken English ; from what he did and what he said, I understood him as meaning to say, " stand back ; " he was as pale as paper ; the fire was blazing at the time ; he then took away the stove ; I helped to arrest him ; the officers first threw stones at the house ; the house had no windows ; it had shutters in it.

DR. A. G. RAWSON sworn, examined by MR. PATERSON.—I took the deposition of the deceased, Catharine Hanlin ; Justice Taylor was present ; the jury were present, and also Mr. Porter, the counsel ; the deposition was taken on the 24th of December ; the *post mortem* examination was taken on the 25th ; when I took the deposition, I asked her " If she thought she was about to die ; " she said " she hoped not."

The defence opposed the reading of the deposition, on the ground of its not being taken in *extremis*.

The question was left open, and

Justice TAYLOR was called to the stand, examined by Mr. Paterson.—Dr. Cook and the Coroner saw the woman on the 24th, and informed her there was no hope of her recovery ; Mr. Porter was there when the Coroner asked her " what her employ was ? " and she answered saying " she hoped God would have mercy on her ; " her manner showed that she had some hope she would recover ; Kleim was present when she signed the deposition.

Mr. SHEPARD objected to the reading of the deposition, on the ground already stated. The rule of law says "That the declaration must be made under a sense of impending death, in prospect of almost immediate dissolution. If reduced to writing, the writing must be produced if in existence.

Mr. PATERSON replied, and cited authority.

The question was left open for argument.

Dr. POST examined by Mr. PATERSON.—I attended the *post mortem* examination of deceased; she was desperately burned about the throat; the larynx and trachea, down to the lungs; there was considerable serous effusion, particularly about the lungs; there were three of her ribs broken; she also had a wound about the thigh; there appeared no symptoms of organic disease about her; I attended her before her death also; her breathing was very difficult, to which I attributed her death; from the injuries to her throat, it would appear as if she inhaled hot air.

The objection on the part of the defence in relation to the admissibility of the written deposition was overruled.

The deposition was then read. It went to show that Kleim threw stones at the deceased on the day before the murder; that on the day of the murder he first went to the door and threw stones at deceased; that on his setting fire to the house, she endeavored to go out and Kleim thrust her back into the flames, and subsequently stabbed her in the thigh; she then went to the window with her son Lawrence, and Kleim threatened to cut her throat; she then swooned away and got nearly smothered and fell down, and did not know who took her away, until after she came to her senses.

WILLIAM MOFFIT sworn, examined by Mr. PATERSON— I was called up by my wife on the morning of the fire; she told me she saw Kleim setting fire to the house; I then rushed in through the smoke and flames and found the woman lying down on the floor quite insensible; we got

a child also ; its face was very black and dirty, and the child was apparently dead ; the smoke was very suffocating to myself ; I got sick myself from the smoke ; I saw Kleim go from the house with an axe in his hand ; he then went in through the window.

Cross-Examined by Mr. SHEPHARD—I never knew any person to associate with Kleim, except three colored women who used constantly to reside with him.

Mrs. MOFFIT, wife of the last witness, corroborated his testimony in relation to the burning ; I went to the prisoner afterwards, and asked him what he did that for ; he said "stand off," and had an axe or some weapon in both hands ; I could distinguish the axe but not the other weapon, he used to set dogs at the children ; I saw him one day fire off a gun at children.

EDWARD HANLIN (the husband)—Testified he was a neighbor of Kleim's, and neither himself or wife had ever any difference with him ; there was no difficulty about hogs or pigs.

JAMES D. STRONG, police officer, examined by Mr. PATTERSON—I was informed on Monday morning, the 22d—that a house had been set on fire in fifteenth street, and a woman had been stabbed ; I was told that it was a Dutchman that did it, and that he was locked up in a shanty adjoining ; I went once to the door, but found it fastened inside ; I was told to be careful how I acted, as Kleim had fire arms with him, and was prepared to defend himself ; I then asked some who were there if they would stand by me, who answered they would ; I then kicked at the door several times, and found that it yielded ; when I burst the door open, Kleim had a dog in one hand and the stick and spear in the other ; I took up a stone and struck the dog with it ; I then directed Mr. Cox and other men to go round and attack the rear of the house, which they did, and broke the window, by this time Kleim had become a little more tranquil, and seemed as if he wished to speak to me ; I then walked nearer to him, when he made another thrust

at me; I seized him by the arm, and he asked me why stones were thrown in, and I said in order to break open the house; there was a stone thrown which hit him on the cheek; I rushed in on him and caught him by the back of the neck; he made a blow with a hatchet at me, when his arm was seized by somebody else; I took him out of the building and had difficulty in preventing people from taking the law in their own hands. We then went with him to 3d avenue, to Justice Taylor's house; I then returned back to the house, and found a hatchet, butcher knife and the spear; I went back to Justice Taylor's house, having been informed that Mrs. Hanlin was in a dying condition; I asked Kleim what induced him to do as he had done, and he said, "because they troubled me—they troubled me;" I asked him if the woman made the difficulty—he said "no" he said "they had pigs—they troubled him." I said he had done very wrong; I can't say positively, but I think he said, "I can't help it." He said he had no money, but I found on his person two sovereigns; he said that was all he had.

Cross-examined by Mr. SHEPARD.—The knife and stick is the same, with the exception that it has no blood on the blade now.

JAS. G. COX, constable, examined by MR. PATERSON—I have seen Catharine Hanlin, saw her on the 23d, at my house; she came to complain of Kleim for throwing stones at her. [Here counsel for defence objected to Mr Cox giving any evidence as to the fire or murder, he having the day before received testimony from Mrs. Hanlin of prisoner's conduct. The Court ruled the objection as valid. Retired from witness's seat.]

MR. PATERSON then called LAWRENCE HANLIN, son to deceased, who had been previously examined, but nothing of interest was elicited from his evidence.

MR. PATERSON read a deposition of prisoner, for the Court and Jury, by desire of prisoner's counsel.

The case for the prosecution here rested.

GEORGE J. KLEIM, brother to the prisoner, and a very respectable looking man, who is a painter in New Haven, was the first witness produced, examined by Mr. Shephard—I am brother to prisoner; he has been in this country fourteen years; I have been here about twelve years; my brother is a cabinet maker; the first thing I perceived strange about my brother was in a letter I received from him when I lived in Hartford; (letter produced) that is the letter; it is over six years since I received the letter; (two other letters produced, which were written in the German tongue) received the first letter about the year 1840, the time it was written; know them to be in the hand-writing of my brother.

Cross-examined by MR. PATERSON.—The letters came to me through the post office in wrappers; I am sure they are in the hand-writing of my brother; I resided in Hartford when I received the first letter, and the other two when I was in New Haven; I do not know where my brother lived when I received the first letter, but came to New York and searched for him; when I received the second letter, I found him at 332 Broadway; I swear, to the best of my belief, they are both in the hand-writing of my brother; when I came to New York, I went to my brother's shanty to see him; brought Mr. Bowen with me; my brother objected to my bringing any one to see him; I brought my wife to see him; he did not like to see her either; I put him into a boarding house, he did not stay there, though he said he would; I next saw my brother last fall in the prison; my brother (when I asked him if he knew me) said he did not; I asked him if he did not recollect seeing me at the shanty in 15th street; he said he did not; I next saw him last week; he answered me pretty much the same way; I spoke to him about home, but he did not seem to recollect anything about it.

Cross examined by MR. PATERSON.—I saw my brother about three years before I saw him in the shanty; I came to New York in about three months after I received the last letter from my brother.

S. BROMBERG was sworn and examined, as to translation of letters from prisoner to his brother.

A discussion then arose as to reading the letters, when it was decided that counsel for prisoner should read the translations.

CHARLES BOWEN examined by MR. SHEPHARD.—Saw Kleim in Broadway when his brother went to see him; saw him afterwards in 15th street; I found the shanty and knocked at the fence; finally I got in, and I told him I had a letter from his brother; and he ordered me off, and told me he'd shoot me; when his brother came down, I went with him to point out the place. I have not seen prisoner since that time.

Cross-examined by MR. PATERSON.—Prisoner and his brother seemed at their interview to be friendly; he was standing when I saw him; he appeared then as he does now.

SAMUEL CLARKE, examined by Mr. BENEDICT.—I know prisoner; known him about six years; I knew him first in a shop in Broadway; I have worked with him; there was a stand out in the shop where I worked; we all stood out but Kleim; he told me that people threatened to take his life; I asked him for what; he said he did not know, but that his life was sought.

CHARLES A. BAUDINE, examined by Mr. BENEDICT.—I know Andrew Kleim since 1839; he worked with me in Broadway at the time of the turn out; he worked the whole time and did not mind it; he appeared at times very queer; he at one time told me when I went into the shop, that men sought his life, and they were determined to shoot him with guns, axes, and so forth; he always was at his work, late and early; he worked for me about eighteen months.

Cross-examined by Mr. PATERSON. Prisoner acted like a maniac; one day a man was passing my shop, and laughed at him, and he (prisoner) seized a piece of wood and would have struck him, only I prevented him; he used to

grind his teeth; there were many other circumstances which made me think he was like a maniac.

WM. BURNS, examined by Mr. BENEDICT.—I have known Kleim ten years; since I have known him there has been a great change in his conduct; the first three years that I knew him he dressed well; we worked together in Mr. Baudine's shop; his conduct then was as it is now; whenever I spoke to him he would laugh; that is all the answer I generally got from him.

LEWIS FICKIN, examined by Mr. SHEPARD.—Known prisoner about twelve years; he dressed himself generally very well; I some years since noticed something strange about him; at first when I knew him he was very affable; since, his conduct has been very strange; I wanted him some time after to get some good clothes, but he did not mind me.

WM. HARDOCK.—Known Prisoner about four years; he has been the same since I knew him; I worked in a shop with him; his conduct was very strange; when I would ask him a question he would laugh, and used to run out of the shop like a mad dog; the first time prisoner ever asked me a question was, if I knew when there was a dog that was going to take his shanty from him. It is about four years ago.

Dr. TELLKROFT, examined by Mr. BENEDICT.—I am a surgeon; it is fourteen years since I commenced medicine; I have given a good deal of attention to cases of insanity; I have seen prisoner several times; the first time I saw him was at the Tombs, but I hesitated to give an opinion then, as I thought it would be necessary in this case to see him several times before doing so; his external appearance has been the same as at present; I have spoken at each intercourse; I spoke to him in both the English and German languages; from my interview with him I supposed he had been suffering from monomania, or melancholy, and that he was insane; he appeared quite insensible as to the fate that awaited him, and did not seem to know what he had done; I have heard the evidence offered here yesterday.

Cross-examined by Mr. PATERSON—I think prisoner is not at present capable of managing his affairs in his present state; I think him imbecile; I do not consider prisoner was an imbecile from birth; the first time I asked him about his parents, he gave me a confused answer; I asked him what religion he was, but I could not get any satisfactory answer from him.

Dr. PLINY EARLE, Superintendent of the Bloomingdale Lunatic Asylum, being affirmed, deposed, in substance, as follows:

I am a physician and have been specially engaged in the treatment of the insane during a period somewhat exceeding three years. For more than a year I have been connected with the Bloomingdale Asylum, where I now have one hundred and twenty-six patients. I have seen many cases of insanity, elsewhere.

At the request of the Circuit Judge I visited the prisoner several times in his cell, and, from my observation upon him became convinced that he is insane. With but a single exception, I found him standing in a particular place. Once, he was sitting on his mattress, but as I entered, he immediately rose and went to the place in which he had always previously been standing. His head was generally depressed; his eyes downcast. He did not speak unless spoken to, and always answered in as few words as possible. His pulse was usually more rapid than that of persons of his age and temperament when in health. Near the top of his head there is a place, of about the size of a dollar, upon which the hair is extremely thin. He appeared to be indifferent in regard to all things. His social feelings are evidently destroyed or perverted, and he manifests no consciousness of the relation in which he is now placed with reference to the law.

He told me how long he had been in this country, and gave me some information which I supposed to be accurate, respecting the different members of his family. I did not

think, at the time of either of my interviews with the prisoner that he was feigning insanity.

Cross examined by the District Attorney—I do not recollect of having perceived any scar upon the prisoner's head. The prisoner told me that when he was about eleven years of age he had an eruption in the place where the hair is now so thin ; but that it was cured. Monomania might be caused by an eruption repelled. I think the mental disorder with which the prisoner is now afflicted would generally be lessened under the head of Dementia. It might have been preceded by Monomania, but he now appears to be nearly imbecile. If the prisoner supposed that all the world were seeking his life, his disease might be what is termed Monomania. so far as I have observed him, I do not think that he is now laboring under Monomania.

Dr. J. H. SCHMIDT, examined by Mr. SHEPARD—I am a physician ; I have examined prisoner, with regard to the state of his mind ; I have been with him for fifteen or twenty minutes, and from my observation and his general appearance, I think him to be insane ; the last time I visited him I wanted to feel his pulse, but he would not allow me to do so. I told him I wanted to see if he was sick, and he said he was not ; he would not allow me to go near him, when I put any question to him he would sometimes answer yes and no to the same question ; I think monomania and dementia might exist together and run along side by side or into each other.

Cross-examined by Mr. PATERSON—I believe prisoner to be laboring under general insanity at present.

Mr. PATERSON, District Attorney, at this crisis then called as a rebutting evidence the following witnesses. The first was the re-examination of

JAMES D. STRONG, who stated—Whenever I asked prisoner about this affair he would make answer “me don't know—me don't know ;” I asked him several other questions and he gave me the same answer as before ; when he was at the prison I asked him if he knew how much money I took from him, he said, “not quite ten dollars, two gold

pieces;" I neither saw or heard any thing from prisoner to prove to me he was insane; I asked him if he knew who I was; he said I was an officer; I spoke to him about a shanty he had erected at 13th street, and if he lived alone, and if he had no companion except the dog, and he answered he did; he said he cooked for himself.

CHARLES BIRD, examined by Mr. PATERSON—I am a police officer; I arrested prisoner on the 21st of September, 1842; I had conversation with him at that time; he stood at his window thrusting at me with a stick and spear; I had conversation at the Upper Police, when he was arrested; I showed him the sword and asked him to whom it belonged? he said it was his; he afterwards came to the police office, and said he would sue me for the sword; his appearance is the same as it was in December last.

REUBEN T. JOHNSON—Was a keeper of City Prison last December; had charge of second corridor; Kleim was in cell 62; used to see him three or four times a day, with the exception of Sundays; I had conversation with him with regard to his food and shaving, &c.; I had conversation with him as to where he lived, and his money; there are pipes leading through the cells of the prison; prisoners talk through them to each other; I often hear noise arising through this source when going through the prison; the cells have beds in them; they occupy about one-half the width of them; Kleim generally eat his meals the same as the rest of the prisoners did; I never found anything irregular in his conduct; I have heard him answer "no" to questions, when he meant "yes;" I never saw anything about him to make me believe he was out of his mind; each has charge of a corridor; I had charge of Kleim.

Cross examined by Mr. SHEPARD—Prisoner never commenced any conversation with me; I don't know that I ever said Kleim was insane; I might have said so by way of a joke.

JOHN W. FRANCIS, surgeon examined by Mr. PATERSON—I have had my attention called to insanity for several years.

both here and abroad. I have seen Kleim in the Tombs, and here in Court; he is what would be called of a bilious constitution, a heavy man; those causes will be produced by confinement for several weeks; I can't say I saw anything in his appearance which would cause me to think he was insane, except from the reasons I state; I do not think he is an idiot. The prisoner does not possess that peculiar characteristic about him that would lead me to suppose he was insane; from the conversation I have had with prisoner, I think he can distinguish between right and wrong; I believe him to be sane and a responsible agent for his acts.

Cross-examined by Mr. BENEDICT—I have only had an opportunity of examining prisoner once; I don't think I ever made such a mistake on the previous trial as to say Kleim was insane. I said his state of mind might be construed into demented; I said his confinement might produce his peculiar habitude of mind.

TO DISTRICT ATTORNEY—The circumstance of prisoner running out of his workshop, and returning with pieces of glue and stuff for making chairs, and other like circumstances, might tend to insanity, which might be produced by many things, perhaps love affairs, and such like.

JOHN STYLES, Surgeon—Was employed last year in the City Prison; has attended cases of insanity; it is more than twenty-three years since I commenced; have had conversation with Kleim; conversations with him were always commenced by me; they were about his occupation; he said his branch was chair-making, and that he disposed of them in Chatham street, and that when manufactured they were worth from nine to seventeen dollars; he said he only finished them in sand-paper; he said he could not make a set in a week; I told him I heard he was about getting married to a Dutch lady in the neighborhood where he lived, and he repelled the idea, and said "no, no, no;" in my opinion, prisoner is a sane man.

Cross-examined—I abandoned my profession for Keeper of City Prison about last August; I don't recollect that Kle-

im ever said, that the man who put me in will come and take me out; but I've heard him say he would get out; I have observed Kleim quite eccentric in his conduct.

Mr. VANDERVORT, Clerk of the Court, was called and sworn, to testify relative to an inquest held last April on prisoner, as to his insanity.

An objection was put in by the counsel for prisoner, which, after consultation by his Honor, Judge Edmonds, with his associates, they ruled the objection to be valid.

Dr. McDONALD, examined by Mr. SHEPARD—Assuming the facts in this case, that have been proved, to be true, I consider prisoner now to be insane.

Here the counsel for defence stated they had closed.

After the case had been ably argued on both sides, his Honor Judge EDMONDS proceeded to charge the jury. He commenced with some preliminary remarks, in substance as follows:

He told the jury that there was no doubt that Kleim had been guilty of the killing imputed to him, and that under circumstances of atrocity and deliberation, which were calculated to excite in their minds, strong feelings of indignation against him. But they must beware how they permitted such feelings to influence their judgment. They must bear in mind that the object of punishment was not vengeance, but reformation, not to extort from man an atonement for the life which he cannot give, but by the terror of the example to deter others from the like offences, and that nothing was so likely to destroy the public confidence in the administration of criminal justice, as the infliction of its pains upon one whom Heaven had already inflicted with the awful malady of Insanity.

It was true that insanity was sometimes feigned, but in the present advanced stage of the knowledge of the disease, it was almost if not quite impossible that such simulation could escape detection and exposure, when subjected to a careful and skilful examination. So it was true that the plea

of insanity was sometimes adopted as a cloak for crime and a shield against the consequences of its perpetration, and cases had occurred—that of Amelia Norman, and a recent occurrence at Philadelphia, were familiar instances where popular feeling ran so strong in favor of the criminal on trial, as to induce juries to seize with avidity upon this as an excuse for indulging their predilections for the prisoners. These things had worked in the public mind a prejudice against the defence of insanity, and had produced in courts and juries, a disposition to receive it with extreme jealousy, and scrutinize it with praiseworthy caution.

Yet under all these disadvantages, it was, unfortunately equally true, that many more persons were unjustly convicted and caused to suffer the punishment for crime, to whom their unquestioned insanity ought to have been an unfailing protection.

After mentioning two or three cases of the kind, of a remarkable character, he alluded to the examination he had then lately made, among the insane convicts at Sing Sing, where he had found that of 30 such persons, twenty two were, beyond all question, in a state of mental aberration at the time of their committal. He told the jury that he referred to these matters, in order to impress upon their minds the necessity of calm deliberation, and with an entire freedom from prejudice.

He instructed them also that it was by no means an easy matter to discover or define the line of demarkation where sanity ended, and insanity began, and it very frequently occurred that a condition of mental aberration shaded off from a sound state of mind, so gradually and imperceptibly, that it was difficult for those most “expert” in the disease to detect or explain its beginning, extent, or duration. And in this, as in other diseases of the human system, there was an infinite variety, so great indeed, as almost to justify the remark that no two cases were ever precisely alike. Hence it was necessary for him to remark to the jury, in regard to the different kinds of insanity which writers on the subject had de-

scribed, and to which their attention had been so earnestly directed by the prosecution, that it would be proper for them to pay attention to such classifications only so far as to enable them to understand the positions of those writers—that those classifications were, in a great measure arbitrary, and had been adopted mainly for the purpose of obtaining a clear and lucid manner of treating the subject, and the jury were not obliged to bring the case of the prisoner within any one of the classes or kinds of insanity thus defined, in order to acquit him of moral responsibility, for it was a well established fact that the diagnosticks of the different kinds were continually running into, and mingling with, each other.

So too it was important that the jury should be made precisely to understand how much weight was to be given to the opinions of medical witnesses. The discoveries in the nature of the disease, and the improvements in the mode of its treatment, had been so great in modern times that it had become almost a distinct department of medical science, to which some practitioners devoted themselves almost exclusively. The opinions of such persons, especially when to their knowledge they added the experience of personal care of the insane, could never be safely disregarded by courts and juries.

And on the other hand the opinions of physicians, who had not devoted their particular attention to the disease, were not of any more value than the opinions of persons in other callings, nor indeed of so much value as the opinions of many not educated to the profession, but who had been so situated as to have given particular attention to the disease, and to patients suffering under it.

There are two kinds of unsoundness of mind recognized in our statutes. One described as “Lunatics, persons of unsound mind and incapable of conducting their own affairs,” and the other comprehended under the general appellation of “Insane persons.”

It is with the latter class only that we have to do in the

administration of criminal justice, and the inquiry for the jury therefore was whether the prisoner was an "Insane person."

What is meant by an "insane person" is now and long has been a matter of great difficulty.

At one time, it was held by courts to be only such an overthrow of the intellect, that the afflicted person must "know no more than the brutes," to be exempt from responsibility. At another time, he must be "unable to count twenty." As science and the knowledge of the disease progressed, it was found that very many were excluded by this very contracted rule from the protection to which they were justly entitled, and the rule has been extended in modern times until it begins to comprehend within its saving influences, most of those, who by the visitation of disease are deprived of the power of self government. *Yet the law in its slow and cautious progress still lags far behind the advance of true knowledge.*

The inquiry now to be made, under the rule of law, as now established, was as to the prisoner's knowledge of right and wrong at the time of committing the offence.

Every man is to be presumed sane and to possess a sufficient degree of reason to be responsible for his crimes until the contrary be proved to the satisfaction of the jury. And to establish a defence on the ground of insanity it must be clearly proved that at the time of committing the act, the party accused was laboring under such a defect of reason from disease of the mind as not to know the nature and quality of the act he was doing, or if he did know it that he did not know he was doing what was wrong. And the question whether the accused knew the difference between right and wrong is not to be put generally, but in reference to the very act with which he is charged and the inquiry therefore is, had the accused a sufficient degree of reason to know that he was doing an act that was wrong, or was he laboring under that species of mental aberration which satisfies you that he was quite unaware of the nature, character and consequences of the act he was committing?

If some controlling disease was in truth the acting power within him, which he could not resist or if he had not a sufficient use of his reason to control the passions which prompted the act complained of, he is not responsible, but we must be sure not to be misled by a mere impulse of passion, an idle frantic humor or unaccountable mode of action, but inquire whether it is an absolute dispossession of the free and natural agency of the human mind. In the language of Erskine, it is not necessary that Reason should be hurled from her seat; it is enough that Distraction sits down beside her, holds her trembling in her place, and frightens her from her propriety.

And it must be borne in mind that the moral as well as the intellectual faculties may be so disordered by the disease as to deprive the mind of its controlling and directing power.

In order then to constitute a crime, a man must have memory and intelligence to know that the act he is about to commit is wrong, to remember and understand that if he commits the act, he will be subject to punishment, and reason and will to enable him to compare and choose between the supposed advantage or gratification to be obtained by the criminal act, and the immunity from punishment, which he will secure by abstaining from it.

If on the other hand he have not intelligence and capacity enough to have a criminal intent and purpose, and if his moral or intellectual powers are either so deficient that he has not sufficient will, conscience or controlling mental power, or if through the overwhelming violence of mental disease, his intellectual power is for the time obliterated, he is not a responsible moral agent, and is not punishable for criminal acts.

Guided by these rules, the jury were instructed by the Court, to inquire whether the accused was justly responsible for the act he had committed, and they were to consider, as aids to a just conclusion, the extraordinary and unaccountable alteration in his whole mode of life, the inade-

quacy between the slightness of the cause and the magnitude of the offence, the recluse and ascetic life which he had led, his invincible repugnance to all intercourse with his fellow creatures, his behaviour and conduct at the time the act was done, and subsequently during his confinement in prison, and the stolid indifference which he alone had manifested during the whole progress of the trial, upon whose result his life or death was dependent.

And they must continually bear in mind that the punishment of the law, and especially its severest penalties would be shorn of their salutary influence upon the public, when inflicted upon one already suffering under one of the most severe and afflicting maladies to which human nature was subject.

After hearing the charge the jury retired, and in a few hours came into court and rendered a verdict of *not guilty*, owing to insanity.

Hereupon the Court, ordered his removal to the State Lunatic Asylum at Utica, and there to be safely kept until discharged by process of law.

Kleim has been at this Asylum above six months, and uniformly mild and pleasant. He has not asked a question during the time, nor spoken or learned the name of any one. He seems but very imperfectly to recollect the murder, or trial. He says in answer to inquiries, that he "was put in prison—does not know what for—was taken to the court but had no trial,—they said nothing to me,—is now waiting for to go away,—expects to go away soon, &c." His bodily health is good, but his mind is nearly gone, quite demented.—*Editor Journal of Insanity.*

BIBLIOGRAPHICAL NOTICES.

1. A Manual of Medical Jurisprudence, by ALFRED S. TAYLOR.
2. Principles of Forensic Medicine, by WILLIAM A. GUY.

(Continued from Page 89.)

Dr. Guy commences his observations on the subject of "*Unsoundness of Mind*," with the remark, that the difficulty of the subject has been increased by inattention to the several faculties of the mind. And without committing himself to the phrenological application, he is of opinion, that Gall and Spurzheim have done much in directing attention to those faculties which are the real source of action, viz. the emotions and the passions. If we admit the theory of the separate existence, and possible separate action of these several faculties, we have the materials of an almost endless variety of character, both in health and in disease.

In searching for a general and comprehensive term to designate all "departures from the more usual state of the mind," he objects to that of "insanity," because it is now taken in too restricted a sense; he is also aware that Lord Eldon has in judicial decision, given a special definition to "unsoundness of mind," and finally, he seems favorable to the use of "*non compos mentis*," because it has not been irregularly used, and has been generally allowed to retain its natural signification. After all these saving clauses, Dr. Guy heads his chapter with the term "*Unsoundness of mind*." We have already stated our objections to its employment as a general term.

The sub-divisions of the disease present little novelty, although the credit of them is assigned to recent writers, as Dr. Henry Johnson of England, and Dr. Ray of this country. They are as follows.

Amentia: Including Idiocy (and crettenism) and imbecility.

Dementia: 1. Consequent on mania, mental shocks, or injuries of the brain. 2. Senile.

Mania: 1. General. 2. Intellectual, sub-divided into a, general, and b, partial. 3. Moral, a, general, b, partial. Certainly Pinel and Esquirol ought to have received a portion of the credit of this arrangement.

Our author then proceeds to treat, first, of *certain unusual conditions of the mind not included under the general term, mental unsoundness, and the phenomena of dreaming*. *Spectral illusions* are here introduced, as we think out of place. We altogether doubt the correctness of Dr. Guy's deduction, that they are common to men of sound and of unsound mind; the difference being, that the former do not believe in their reality, the latter do. Spectral illusions accompany some of the forms of insanity, they may be present in some of the types of fever and their associated diseases, and lastly, they have occurred to persons who are not supposed, either by themselves or their medical attendants, to be, either in a mental or a bodily sense, *out of health*. And yet what would a medical jurist, when called as a witness on a criminal charge, reply, with respect to such individuals if implicated? Should not their occurrence be rather deemed an indication of a tendency to unsoundness of mind—that the brain is overwrought—that the nervous system is disordered. So also with *dreams*. We have long since advanced the idea, that pleasant dreams are consonant with health, although probably not indicative of the highest condition of it, but that all unpleasant dreams, in themselves, show some disorder in the system, from the nightmare after a single indulgence in a late supper, to the distracting and harrassing dreams of the maniac. It is another question whether crimes committed under this influence are to be excused on medico-legal grounds, as Dr. Guy suggests. It would be better, possibly, to assimilate them to the cases of "mishap," "misadventure," "sudden fright or fear," of which we have, unfortunately, too many examples in our waking hours.

The question of the responsibility of the somnambulist, seems to be involved in doubt, and there we willingly leave it. Some urge, according to our author, that actions, (often criminal) committed during the fit, are only the accomplishment of projects formed, while the party was awake, and that, therefore, he should be held responsible. And certainly some of the cases lean strongly in that direction. Criminal somnambulists should, with reference to this matter, be separated from simple sleep walkers. Children and young persons are subject to this last, in part, owing, probably, to the predominance and restlessness of the nervous energy. This can be subdued in most cases, but when we come to the adult in whom it is a habit, and whose tendencies in that state are criminal, we are inclined to suppose that he must, in his waking hours, exhibit some, at least, of the incipient symptoms of insanity.

At all events, whatever may be thought of our animadversions, we are unwilling to enlarge the sphere of excuse for crimes, and to add to its already increased boundary, the above states of mind in advance of the peculiar circumstances that ought to regulate our decision in the extremely rare cases of this description that will probably ever occur.

The second section contains a notice of *certain conditions of the mind, allied to mental unsoundness, but produced by temporary causes, viz. delirium, delirium tremens, and drunkenness.*

Nothing new is added on the subject of delirium, as an attendant on diseases. But we are disposed to question the *sufficiency* of the dictum quoted from Dr. Ray, as to the legal relations of it, in reference to the validity of wills. "If the testamentary act be agreeable to instructions or declarations previously expressed, when unquestionably sound in mind, if it be consonant to the general tenor of his affections; if it be consistent and coherent, one part with another and if it have been attained by the exercise of no improper influence, it will be established, even though the medical evidence may throw strong doubts on the capacity of the testator."

Certainly this would be proper, but what is to be done, with a will thus exactly correct, when the medical witness expressly declares that the patient laboured under delirium, and above all, what is to be done, with wills varying in one or two other particulars, from the above suppositions? We apprehend that wills executed, as laid down by Dr. Ray, and with the attendant circumstance of doubt on the part of the medical attendant, will scarcely ever be brought into courts of equity.

Delirium Tremens. Very little is said on this subject, and Dr. Lee, the Editor, has supplied some useful observations, with a reference to cases. So also with the notice of *Drunkennes*.

The third section treats of the *several forms of unsound mind*. 1. Amentia, or Idiocy, and under this, the form called Cretenism is noticed. Next, Imbecility is considered, and is defined to be "unsoundness of mind occurring in early childhood, as contradistinguished from that which is congenital." Dr. Guy, also quotes with approbation, the definition of Dr. Ray. "Imbecility is an abnormal deficiency either in those faculties that acquaint us with the qualities and ordinary relations of things, or in those which furnish us with the moral motives that regulate our relations and conduct towards our fellow men, and frequently attended with excessive activity of the animal propensities." This enlarges the number of individuals belonging to the subdivision very materially. The definition of Georget, and which is a counterpart of Dr. Ray's, is equally extensive, but the commentary of Dr. Guy, on these goes still farther.

"There is no doubt (says he) that imbecility is some times partial; that there is in fact, an *intellectual*, and a *moral* imbecility, an inability to acquire and apply knowledge, occurring in persons who have a due sense of right, act with integrity, and perform every social duty on the one hand; and on the other hand, an unusual power of acquiring knowledge, with judgment, fancy and refined taste, but combined with a feebleness of purpose, an inaptitude for busi-

ness ; a disregard of duty, a want of honesty, and oftentimes a strength of passion, which were it not for the intellect they display, would class them at once with the imbecile. They are known in society as weak, soft, easy, good natured, well meaning, good sort of people, and if possessed of brilliant talents, of having every sense, but common sense. They meet with much sympathy, and sometimes, perhaps with more blame than they deserve. There are those who know not how to say *no* either to themselves or to others ; who are too easy to be just, too thoughtless to be honest. They have an instinctive horror of business, an aversion to their regular occupations, and a distaste for every thing that wears the shape of duty. If their profession is law, they will give all their time to divinity ; if divinity, to physic. They are utterly ignorant of the value of money and the last use they make of it is to pay their debts. Each man among them has his own favorite form of extravagance and his own peculiar mode of ruining himself, one calls an architect to his assistance ; another an upholsterer ; a third collects useful things which he never uses, or displays a curious taste in worthless trifles. They are always forming acquaintances with unworthy persons, for rogues find it worthwhile to know and to flatter them. With all their easiness of disposition they have much warmth of temper and strength of passion, but this is known only to those from whom it ought to be concealed. They are bad husbands, children, and fathers, because in these relations of life they have duties to perform. Throughout life they are weak, wavering, fickle, and self willed as children ; the source of constant anxiety and misery to their families, the prey of designing knaves, the expected inmates of gaols, workhouses and lunatic asylums."

"The persons subject to this form of moral imbecility remain at large, because the intellect being unaffected, they have no striking delusions, and no one could undertake to say that they have not the power, if they would exercise the will, to make themselves, at any moment, useful members

of society. As weakness of intellect is a necessary part of the legal notion of imbecility, the attempt to prove such persons imbecile, in a court of law would necessarily fail. *An absence of moral feeling and corresponding want of self control is the essence of their mental malady.*"

We beg our readers to give this extract a second perusal. It was Nat Lee, the poet, so far as we recollect, who when found by a friend in Bedlam, and asked how he came there, replied, "The world and I differed as to my being mad, and I was outvoted." If Dr. Guy's definition as given above is to be taken as a standard, certainly we shall need a lunatic asylum in every county, for if not to be secluded, the *imbecile* will certainly form too a large proportion of the community. We did suppose that *an absence of moral feeling and corresponding want of self control*, constituted the character of a candidate for the state prison, rather than for the asylum. Certainly with all due deference, the individuals here described, are rather more uncommon than our author would suppose. We have children, brought up without restraint, who fear neither God nor man; who begin early to exercise cruelty on their dogs, or their cats, or their companions, and who when they grow up are ready to indulge in every form of dissipation and violence. Certainly these are not *soft, easy, good natured persons*. How can such be ranked among imbeciles? They are *maniacs* from their childhood, and what injustice does not our author inflict, on persons of moderate intellects, who as he concedes, have a due sense of right, act with integrity and perform every social duty, and yet from a great variety of causes, are unable to acquire and apply knowledge. It may be otherwise in England, but in this country, such persons are respected for the qualities of their hearts, and they fill a necessary place in our country, and even city communities. Again, he speaks of a class which may be denominated, the *frivolous*, but whose tendencies are kind and social, often imposed upon, and of another, to which belong the *dishonest* of every description.

Now all these explanations of this class, if of any value in a work on Medical Jurisprudence become so, because they can be applied and quoted, in parallel cases, that come before our courts, and if so, who can be convicted of crime, under these broad apologies for it?

We imagine that our author must shrink from the practical employment of his doctrine, and we are encouraged in this belief, when we recur to the cases that he has cited, in illustration of the *competency* and the *responsibility* of the *imbecile*.

As to the former, he quotes that of the Earl of Portsmouth. This nobleman played all sorts of tricks with his servants, was fond of driving a team, in which he carted dung, timber and hay, had a propensity for bellringing, was fond of *slaughtering cattle and indulged in wanton cruelty towards man and beast, never expressing regret but merely observing it "serves him right," on his own acts of cruelty.*

As to responsibility, he adduces the case of John Barclay, executed at Glasgow in 1843, for the murder of a person from whom he took three pound notes, and a watch. He was known in the parish as "daft John Barclay" and the clergyman who knew him well, always regarded him as imbecile and had never been able to give him any religious instruction and did not consider him a responsible being. He regarded the watch as an animal, and when it stopped from not being wound up, believed it had died of cold from the glass being broken.

2. *Dementia*. This is considered as insanity supervening either slowly or suddenly in a mind already developed and in connexion with it: the dementia of old age is also noticed. It may occur from a sudden shock, but most frequently, is the termination of the more active forms of the disease.

3. *Mania*, includes according to Dr. Guy, all those forms of unsoundness of mind which are characterized by undue excitement of the faculties. It is divided by him, into three classes, general, intellectual and moral, and each of these latter into two subdivisions, general and partial.

The description of the approach of general mania, and its attendant symptoms is taken principally from Georget, and he also gives a brief abstract of the narrative of Percival, published at London in 1838. "A narrative of the treatment experienced by a gentleman during a state of mental derangement; designed to explain the causes and the nature of insanity." We looked into this work shortly after its publication and were not satisfied that the author of it was perfectly cured. However good his authority may be as to symptoms, he has certainly not gone far into the nature and causes of the disease.

Intellectual Mania. In this the moral faculties are but little if at all excited, and Dr. Guy remarks, that it would probably be more correct to say, that in certain cases, some strong passion displays itself chiefly by its effect upon the intellect." "Such is passion, is pride or vanity." *Partially Intellectual Mania*, formerly but incorrectly styled melancholia, since the ideas of many, as shown by Esquirol, are oftentimes extremely gay and pleasant. Hence the latter substituted the name of monomania. This important subdivision is dismissed with less than a page of comment.

Moral Mania. Pinel first called the attention of the profession to this, and since his time, it has been considered by a host of writers. *General Moral Mania* is defined in the words of Prichard: wayward and eccentric characters, often with a hereditary tendency, whose tempers and dispositions gradually undergo a change, and frequently from some misfortune or reverse, or previous disease. Their temper and habits are maniacal, while their intellectual powers are undiminished, and even sometimes highly acute.

Partial Moral Mania, is said to consist in an exorbitant activity of some one passion or propensity and its predominance or complete mastery over every other. This prompts him to action by a kind of irresistible instinct, while he either retains the most perfect consciousness of its impropriety, and horror at the enormity of the conduct to which it would impel him, and with difficulty, restrains himself, or gives

way, as if in desperation, to the impulse which urges him on. Of this, the following are examples, *Cleptomania*, or propensity to theft—propensity to lying; *erotomania*, amorous madness, *pyromania* or a morbid propensity to incendiarism, and suicidal monomania, and homicidal monomania. Cases are adduced of each, which are already familiar to the reader of work on insanity, but beyond this, the subject is not illustrated.

With the exception of a tolerably full notice of feigned insanity, under its various forms, the remainder of Dr. Guy's chapter is occupied, in various parts of it, and in too desultory a manner, with a consideration of the doctrine of the *Responsibility of the Insane*. We had intended to have made this the principal subject of discussion in the present paper, in connexion, and by comparison with the observations of Mr. Taylor, but a glance at the preliminary matter showed the necessity of stating in detail, the peculiar views of our author, and indicating what to the writer appeared objectionable. The question of *Responsibility* is intimately blended with the divisions of mental alienation that we may be disposed to adopt and it must be considered with reference to its union with them. We hope to conclude our remarks in the next number.

T. R. B.

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2. DU HACHISCH et de Alienation Mentale Etudes Psychologiques, par J. Moreau, (de Tours,) medicine de l'hospice, de Bicetre, etc. 8 vo. pp. 431, Paris, 1845.

Hachisch, is the name of a plant, the active principle of which, forms the basis of various intoxicating drinks used in Egypt, Syria, and other countries in the east. It is known in India as the "increaser of pleasure," "the exciter of desire," "the cementer of friendship," "the causer of a reeling gait," the "laughter-mover," &c.

It is, we suppose, the *Cannabis Sativa*; common hemp, mentioned by Herodotus, as used by the Scythians to produce intoxication. An account of it and of its use in modern times will be found in Pereira's *Materia Medica*, vol. 2d. page 202, American Edition.

M. Moreau, having obtained a preparation of this plant, known to be active in the East, took some of it himself, administered some to his friends and also to several patients who were insane. The effects upon himself and a friend he has minutely described and they are very remarkable. He also feels warranted from the results obtained by administering it to the insane, in recommending it in very strong terms as a remedy for insanity. Hence his book. We regret he had not waited until a further trial of this remedy had enabled him to speak from that large experience which would be far more convincing than a dozen books of conjectures, and predictions of future results to be obtained from its use. But a small part of his work is occupied with the details of its effects on patients, and in fact he had not administered it to many. On the stupid and demented it had no effect; on others none that were permanent. In those cases in which he supposes it proved highly useful, contributing to their recovery, we do not feel at all certain that the Cannabis had much to do with their restoration, as such cases, we should expect, would recover with equal rapidity without it. Its effects on himself are thus described.

"Thursday, Dec. 5th. I had taken some of the hachisch; I knew its effects, not by experience, but from what I had learned of it from a person who had visited the East, and I waited tranquilly, for the happy delirium to seize me. I took my seat at the table, I will not say with some, after having *relished* this *delicious paste*, for to me it seemed detestable; but after I had swallowed it with difficulty. While eating oysters, I was taken with a paroxysm of incontrollable laughter which was soon checked when I transferred my attention to two other persons, who, like me, had the fancy to taste the oriental article, and who already saw a lion's head upon their plate. I was tolerably calm until the end of dinner; then I seized a spoon and assumed a fencing attitude in front of a dish of preserved fruit, with which I imagined myself in combat, and I left the dining room bursting with laughter. Soon I experienced a desire to hear some music.

to make it myself; I placed myself at the piano, and began to play an air from the *Domino Noir*. After a few measures I stopped, for a spectacle truly diabolical presented itself to my eyes; I thought I saw the portrait of my brother which hung over the piano, become animated; it appeared to me to have a black, forked tail, and to be terminated by three lanterns, one red, one green, and one white. This apparition presented itself to my mind several times in the course of the evening. I was seated upon a sofa, I suddenly cried out, "Why are you nailing fast my limbs. I feel as though made of lead. Ah! how heavy I am! Some one took me by the hand in order to raise me up, and I fell heavily on the floor, I prostrated myself after the manner of the mussulmen, exclaiming, 'Father I reproach myself,' &c, as if I was beginning a confession. They raised me up, and a sudden change came over me. I took up a footstove with which to dance the polka; I imitated in voice and gestures several actors, among others Ravel and Grassot, whom I had seen a few days before in the Etourneau. From the theatre my thoughts transported me to the ball of the Opera; the people, the noise, the light, excited me to the highest pitch; after a thousand incoherent speeches, all the while gesticulating, bawling out like the maskers, I thought I saw around me, I directed my steps toward the door of a neighboring room which was not lighted.

Now a frightful revolution took place in my feelings! I was suffocated, I gasped for breath, I was falling into an immense well, without bottom, the well of Bicetre. Like a drowning man who catches for help at a feeble bulrush which he sees elude him, so I strove to cling to the stones around the well, but they fell with me into this bottomless abyss. This sensation was truly painful, but of short duration, for I called out "I am falling into a well," and they drew me back into the room I had left. My first exclamation was, "Am I a fool, I take this for a well, while I am at the ball of the Opera." I struck against a stool; it seemed to me that it was a masker, who lying down on the floor

was attempting to dance in that inconvenient way, and I begged a sergeant de ville to take him into custody. I asked to drink, they sent for a lemon to make some lemonade, and, I recommended the servant not to select one as yellow as her face, which seemed to me of an orange color.

I suddenly passed my hands through my hair; felt millions of insects preying upon my head. I ordered the bystanders to send for my accoucheur, who was then engaged with Mad. B——, in order that he might deliver the female of one of these insects who was with child, and who had chosen for her lying in room, the third hair upon the left side of my forehead; after a painful labor, the animal brought into the world seven little ones. I spoke of persons I had not seen for several years. I recalled to mind a dinner at which I was present five years ago, in Champagne; I saw the company; Gen. H. served a fish that was garnished with flowers; Mr. K. was at his left; they were before my eyes, and what was singular, it seemed to me that I was at home, and that all I saw took place at a remote period; they were there however. What was it I then felt.

But that was a happiness truly intoxicating, a delirium that the heart of a mother only can comprehend, when I saw my child, my much-loved son in a heaven of blue and silver. He had white wings bordered with rose color; he smiled upon me, and showed me two pretty white teeth, whose first appearance I had been watching with so much solicitude; he was surrounded with a great number of children who like him had wings, and flew in this beautiful blue heaven; but my son was the handsomest of them all; of a truth there never was a purer intoxication; he smiled and stretched out to me his little arms as if to call me to him. Yet this sweet vision vanished like the others; and I fell from the upper heaven of which the hachisch had afforded me glimpses, into the country of the lanterns. It was a country where the men, the houses, the trees, were exactly similar to the colored lamps which lighted the Champs Elysees, the 29th July last. It recalled likewise the ballet of Chao-Kang, that I had

seen at the aquatic theatre when a child. The lanterns moved forward, danced, were in a continual agitation, and in their midst appeared more brilliant than them all, the three lanterns which terminated the false tail of my brother. I noticed especially one light which continually danced before my eyes, (it was produced by the flame of the charcoal that burned in the chimney.) Some one covered up the fire with ashes: Oh! said I, you would extinguish my lantern, but it will return. In fact the flame flashed up again, and I saw the dancing of my light, green now, instead of white, as before.

My eyes were all the while closed by a sort of nervous contraction; they burned severely; I sought for the cause of it, and I soon found that my servant had daubed over my eyes with some encaustique, (a preparation of wax and turpentine,) and that he was rubbing them with a brush; this was cause enough for the inconvenience I felt in the part.

I drank a glass of lemonade, then all at once, I cannot tell how or why, the imagination, my gracious fairy, transported me along the Seine to the baths of Ouarnier. I would fain swim and yet I experienced a moment of bitter emotion in perceiving myself buried beneath the water; the more I tried to cry out the more water I swallowed, when a friend came to my assistance and drew me to the surface; I caught a view, though imperfect, through the curtains of the bath, of my brother who walked upon the Pont des Arts.

Twenty times I was upon the point of committing indiscretions; but I checked myself with the remark I was going to speak, but I must be silent. I cannot describe the thousand fantastic ideas which passed through my brain during the three hours I was under the influence of the hachisch: they appeared too odd to be believed sincere; the persons present doubted at times, and asked me if I was not making sport of them, for I had my reason in the midst of this strange madness. My cries, my songs woke my child, who was sleeping on its mother's knees. Its little voice, that I heard weep, recalled me to myself, and I approached it; I

embraced it as if I had been in my right mind. Fearing a crisis they separated me from it, and I then said that it did not belong to me, that it was the child of a lady I knew, who has none, and who always envies me it. Then I was out making visits, I talked, I put the questions and replied to them. I went to the Cafe, I asked for an ice, I found that the waiters had a stupid air, &c. After numerous strolls, in which I had met Mr. So and So, whose nose was unnaturally lengthened, although it was already reasonably large, I returned home, saying; "Oh, do see that great rat running in B's head." At the same instant the rat swells up, and becomes as enormous as the rat which figures in fairy story of "Les Sept Chateaux du Diable." I saw it, I would have sworn that this rat was walking on the head where I had so singularly placed it, at the same time I regarded the cap of a lady present; I knew that it was really there, whilst B—was only an imaginary being; but notwithstanding I can affirm that I saw him."

Desirous of testing the efficacy of this remedy in cases of insanity, we procured from our esteemed friend, Dr. Smith, Editor of the Boston Medical Journal, about two ounces of the pure extract, direct from Calcutta. Most of this we have used in the Lunatic Asylum at Utica, in doses, varying from one to six grains. From our limited experience we regard it as a very energetic remedy, and well worthy of further trial with the insane, and thank M. Moreau for having called attention to its use. Still we cannot say from our experience in what class of cases it is likely to prove beneficial. On several who were demented it had no effect. On some that were melancholy it caused an exhilaration of spirits for a short time. Some felt as if intoxicated soon after taking it; others were made weak and sick at the stomach by it. To some it gave a headache, and some were rendered for a short time apparently insensible and cataleptic. On none had it any lasting effect, either good or bad.

We repeat that we consider it a very energetic remedy,

and hope it will prove a useful one, and recommend attention to it, and the book of M. Moreau, which, in addition to the account of this remedy contains many useful observations on Mental Alienation.—*Ed. Jour. of Insanity.*

AN ESSAY on the use of Narcotics, and other Remedial Agents calculated to produce Sleep in the treatment of Insanity, for which the author obtained the Lord Chancellor's Prize in Ireland. By JOSEPH WILLIAMS, M. D. London, pp. 120. 1855.

This is a sensible essay. The author does not appear to speak from great experience, but he has extensively examined the opinions of writers on insanity, and judiciously arranged the information thus obtained on this important subject. There is nothing particularly new in the work, but we regard it as a valuable collection of most that is known respecting the various remedies for procuring sleep in insanity, accompanied by proper cautions and directions.

The following are his remarks respecting the use of opium.

"There is much difference of opinion as to its utility in treating insanity. Sir William Ellis says: 'Opium is rarely found admissible in insanity; it more frequently creates heat, and general febrile action, than procures sleep.' Valsalva and Morgagni proscribed it altogether. Esquirol considers it as absolutely hurtful, but Andral allows it to be useful when there is restlessness without quickened circulation. Cox tried it to an almost incredible extent without perceiving any, even temporary, much less permanent advantage from it; but when combined with digitalis or antimony, sometimes found it useful. Cullen found large doses of opium to be a sovereign remedy in those maniacal cases where delirium is produced by irritation; he repeated the dose every eight hours as long as circumstances indicated; and he subsequently states: 'In several cases of mania we have employed opium, and in some have found it useful in moderating the violence of the disease, in other cases we have found it absolutely hurtful.' Dr. Clutterbuck considers the giving opium, or any analogous

drugs in order to procure sleep, is in general, highly injurious, as tending to aggravate the inflammatory condition of the brain. Dr. Armstrong gave opium after bleeding, even when the inflammatory action was not checked. Dr. Sutherland strongly objects to the use of opiates to procure sleep, and trusts to diet, employment, and exercise, with tepid or cold baths.

"A large dose of opium has been known to cure mania. Thus Andral quotes the case of a maniac, who, to commit suicide, took opium, fell soundly asleep, and awoke rational. Dr. Hodgkin has related two instances of the value of large doses of opium where there was a strong suicidal tendency; in each case a large dose procured sound sleep and perfect restoration of health. In a case mentioned by Van Swieten; an insane girl, by mistake swallowed a scruple of opium mixed with vinegar, and was cured. Dr. Hallaran saw a maniac sleepless for forty eight hours; two hundred and forty drops of laudanum were administered in three doses, at three short intervals; sleep approaching to apoplexy continued for twenty four hours, which was evidently the means of affecting an entire and lasting return of the mental faculty.

"Where insanity is caused by long intoxication, opium is especially indicated; and in the treatment of delirium tremens, combined with calomel, may be considered invaluable.

"Delicate and debilitated constitutions, with spasmodic irritability, generally bear opium well; and this perhaps, accounts for its disagreeing less frequently with females than with males. Where the nervous system is the most highly developed, there opium is often the most useful, and is especially indicated in those vigilant and restless cases resulting from nervousness. In puerperal mania, where it has been necessary to deplete or purge, large doses of opium are doubly necessary; and should sleep follow, the attack will generally be alleviated or suspended.

Opium is especially indicated where the system is depressed, when it often acts as a charm, and by its stimulating properties is far more useful than Battley's Sedative, or the preparations of morphia.

Persons afflicted with suicidal mania, generally bear opium well, and in such cases it is very commonly prescribed in this country. On the Continent it has also some advocates. Esquirol, on suicidal mania, says, '*Je puis dire que le quinquina combine avec*

l'opium, avec la jusquiame, avec le musc, ont quelquefois renssi en modifiant la sensibilitie des maladies, en leur procurant du sommeil.' In suicidal cases it is often important to keep up the effect of opium, and to take every precaution, as in those who are thus desponding, depression returns as certainly as the effects of the opiate cease; these patients are always thinking, and hence it is that sleep is so essential.

If prescribing opium to a person not habituated to its influence, the second dose should be smaller than the first, by combining it with calomel or antimony, or James' powder, it does not so much disturb the usual secretions; there are cases where Dovers' powder, and occasionally even the pulv. cretæ comp. c. opio may be necessary. It is well to remember that when opiates are indicated in cases of insanity, the dose must be large. Combining opium with camphor, henbane, or digitalis, will often be very judicious. With tartar emetic, calomel and opium, in large doses, will often calm the system when there is great restlessness and fever, especially if the head be kept cool. Opium should never be omitted where insanity has succeeded constant intoxication, and in those cases where the countenance is ensanguined with a cold clammy skin, it is especially indicated, and is no less useful in that anæmial state of the brain, where there is great exhaustion, in whatever way produced."

In the *Dublin Medical Press* for Aug. 6th, 1845, is one of the Rejected Essays on the same subject. It is less extended than that of Dr. Williams, but is a good essay, though far less valuable we think, than the one that received the prize.

2. *DE LA FOLIE* considerée sous le point de vue Pathologique, Philosophique, Historique et Judiciaire, depuis la renaissance des Sciences en Europe jusqu'au dix-neuvième siècle; Description des grandes épidémies de délire simple ou compliqué, qui ont atteint les populations d'autrefois et régné dans les Monastères. Exposé des condamnations auxquelles la folie méconnue a souvent donné lieu. Par L. F. CALMEIL, Médecin de la Maison des Aliénés de Charenton. 2 vol. 8 vo. pp 534. 522. Paris 1845.

Insanity, considered in its relation to Pathology, Philosophy, History, and Jurisprudence, since the birth of science in Europe to the present age, describing the great epidemics of delirium that have prevailed, etc.

We have not space to give an extended account of this valuable and learned work, which we have just received. We wish it could be translated and widely spread through our country as a preventive of insanity. The author has described in an interesting manner the various epidemics of insanity that have reigned since the days of Joan of Arc to the time of Mesmerism—as he begins with the former, and ends with the latter. It is not a work of much practical value in the treatment of insanity, but will instruct and interest the man of thought and intelligence.

We shall refer to it hereafter.

MISCELLANEOUS.

SCHOOLS IN LUNATIC ASYLUMS.

We believe the time is not far distant when these will be common in all Institutions for the cure of the Insane, and be considered as among the most important of remedial measures. In the Report of the Royal Hospital of Bethlem for 1844, we find the following remarks on this subject.

“The education of the insane, has been attempted in some Asylums and with considerable success; and it is worth in-

quiry, how far instructions could be introduced with advantage into Bethlem Hospital; first as an obvious benefit to those instructed, but chiefly as a source of occupation to well educated patients. In the principal French Hospitals and in some of the best conducted public Asylums in this country, schools have been established *with the best possible results*: faculties which have been long dormant have been roused, the memory improved, fresh objects of interest created for fixing the wandering mind, and luring it away from distempered fancies."

Exemption of the South Sea Islanders from Insanity.—Capt. Wilkes, Commander of the United States Exploring Expedition, in a letter to Dr. Brigham, says—"During the whole of my intercourse among the natives of the South Sea, I met with no deranged person, and I am satisfied that insanity is a disease incidental alone to civilized life. I am confident that had any instances of mental derangement among the natives occurred, it would have been observed by us."

New Jersey State Lunatic Asylum. We have received but too late for publication in the present number of the Journal, the details of the plan for this Asylum. The building is to be of stone and of sufficient size to accommodate two hundred patients. It will not probably be completed before 1847.

We hope the proper authorities will follow the example of Rhode Island, and the government of Canada, and early appoint a Medical Superintendent, to attend to the internal arrangement of the building while it is in progress—otherwise many small but important particulars will be omitted, and which will have to be added afterwards at great expense. This has been the case with all the Institutions of the kind that we have known, that have not been built un-

der the immediate supervision of one practically acquainted with the care of the insane. We think it, therefore, *wise economy* to pursue the course we have suggested.

Dr. A. Mc Farland, has been appointed Superintendent of the New Hampshire Asylum for the Insane at Concord, in place of Dr. Chandler resigned. Dr. Mc F. is a gentleman of ability, and we presume will manage the Asylum successfully.

Dr. Walter Telfer, of Toronto, Canada West, has been appointed Medical Superintendent of the Provincial Asylum for the Insane at Toronto. The Government is now erecting a large Asylum for the Insane at that place. Sixty-five acres of land are connected with it. It is calculated to accommodate four hundred patients, but will not be completed under two years. At present about 75 patients are kept in a building formerly used as a jail at Toronto, and a temporary Asylum of wood to accommodate 120, will be completed in May. Into these two buildings the insane will be received until the large Asylum is finished. Dr. Telfer has recently visited many of the Institutions for the Insane in the United States and is zealously preparing himself to discharge in a proper manner the duties of his responsible station.

The honorary degree of L. L. D. has been conferred on Dr. Luther V. Bell, Superintendent of the Mc'Lean Asylum for the Insane near Boston, by King's College, Nova Scotia.

Dr. Ray, Superintendent of the Butler Hospital for the Insane, now erecting near Providence, R. I. has recently returned from a visit to the Institutions for the Insane in Europe.

The following works have been received since October.

Report of the Metropolitan Commissioners in Lunacy to the Lord Chancellor.

Supplemental Report of the Metropolitan Commissioners in Lunacy, relative to the general condition of the insane in Wales.

Statistical Appendix to the Report of the Metropolitan Commissioners in Lunacy. Folio.

An Act for the Regulation of the Care and Treatment of Lunatics, 4th August, 1845.

An Act to amend the Laws for the provision and Regulation of Lunatic Asylums for Counties and Boroughs, and for the Maintenance and Care of Pauper Lunatics in *England*, 8th August, 1845.

Speech of the Right Hon. Lord Ashley, M. P., on submitting his motions for the Regulation of the Lunatic Asylums. Printed for private circulation.

For the above valuable works we are indebted to the Rt. Hon. Lord Ashley.

Annales Medico-Psychologiques. Journal de l'Anatomie, de la Pathologie du Systeme Nerveux.

Journal de Medicine et de Chirurgie pratique.

Journal des Connaissances Medico-Chirurgicales.

The British and Foreign Medical Review.

The Medico-Chirurgical Review.

The Provincial Medical and Surgical Journal.

The Medical Times.

Dublin Medical Press.

The American Journal of the Medical Sciences.

The Buffalo Medical Journal.

The Illinois Medical and Surgical Journal.

The Bulletin of Medical Science.

Southern Medical and Surgical Journal.

The New York Journal of Medicine and the Collateral Sciences.

St. Louis Medical and Surgical Journal.

The New Orleans Medical Journal.
The British American Journal of Medical and Physical Science.
The Western Lancet.
The New York Medical and Surgical Reporter.
American Phrenological Journal.
Transactions of the College of Physicians of Philadelphia.
The Medical News and Library.
The Pennsylvania Journal of Prison Discipline and Philanthropy.
The Knickerbocker Magazine.
Columbian Magazine.
Southern Literary Messenger.
Missionary Herald.
Biblical Repository.
The Swedenborg Library, Nos. 1, 2.

☞ We solicit the attention of our readers to the able charge of Judge Edmonds in the case of Kleim, published in this number of the Journal.